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LAWS

OF THE

STATE OF NEW HAMPSHIRE

PASSED JANUARY SESSION, 1905.

LEGISLATURE CONVENED JANUARY 4, ADJOURNED MARCH 10.



CONCORD, N. H.
1905.

Printed and Bound by Rumford Printing Company, Concord.

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LAWS

OF THE

STATE OF NEW HAMPSHIRE,

PASSED JANUARY SESSION, 1905.

CHAPTER 1.

AN ACT IN AMENDMENT OF CHAPTER 273 OF THE PUBLIC STATUTES RELATING TO FRAUDS AND EMBEZZLEMENTS.

SECTION
1. Embezzlement by agents or servants, how punished.

SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 17 of chapter 273 of the Public Statutes be amended by adding at the end of said section the following new sentence: And if any officer, agent, clerk or servant of any incorporated or unincorporated trades union, fraternal or benevolent association, club, society, or other association of persons levying assessments or dues upon its members or supported in whole or in part by their voluntary contributions, shall embezzle, fraudulently convert, or knowingly or voluntarily misapply any money or other effects or property of such association as aforesaid, he shall be deemed guilty of an offense under this section and punished as herein provided, notwithstanding that he may have an interest in said money, effects, or property. So that said section as amended shall read as follows: SECT. 17. If any officer, agent, or servant of a corporation, public or private, or the clerk, servant, or agent of a person, shall embezzle or fraudulently convert to his own

Embezzlement by agents or servants, how punished.

use any money, bill, note, or security for money, evidence of debt, or other effects or property whatever of such person or corporation, or in their possession or keeping, or shall knowingly or voluntarily pay or deliver any such money, bill, note, security for money, evidence of debt, or other effects or property to any person or to the order of any person, knowing that such person is not entitled to receive it, and punishment is not otherwise specially provided for the offense, he shall be fined not exceeding two thousand dollars, or be imprisoned not exceeding five years, or both. And if any officer, agent, clerk or servant of any incorporated or unincorporated trades union, fraternal or benevolent association, club, society, or other association of persons levying assessments or dues upon its members or supported in whole or in part by their voluntary contributions, shall embezzle, fraudulently convert, or knowingly or voluntarily misapply any money or other effects or property of such association as aforesaid, he shall be deemed guilty of an offense under this section and punished as herein provided, notwithstanding that he may have an interest in said money, effects, or property.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 1, 1905.]

CHAPTER 2.

AN ACT IN AMENDMENT OF CHAPTER 19, LAWS OF 1899, ENTITLED "AN ACT TO REGULATE SALES UNDER POWERS OF SALE CONTAINED IN MORTGAGES OF REAL ESTATE."

SECTION
1. Notice of sale under power of sale mortgage.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Notice of sale under power of sale mortgage.

SECTION 1. Amend chapter 19, Laws of 1899, by inserting after the word "situated" in the thirteenth line of section 3 of said chapter, the words, and if no newspaper is published in the town in which the registry of deeds for the county is situated, then in any newspaper published in the county where the mortgaged premises or some part thereof is situated, so that said section as amended shall read as follows: SECT. 3. Instead of such suit and decree of sale, the mortgagee or person having his estate in the premises, or any person authorized by the power of sale, may, upon breach of the condition, give

such notices and do all such acts as are authorized or required by the power; but no sale under and by virtue of a power of sale in a mortgage of real estate shall be valid and effectual to foreclose such mortgage, unless previous to such sale notice thereof has been published once a week for three successive weeks in some newspaper, if there is any, published in the city or town where the mortgaged premises or some part thereof is situated, and if no newspaper is published in such city or town, then in some newspaper published in the town in which the registry of deeds for the county is situated, and if no newspaper is published in the town in which the registry of deeds of the county is situated, then in any newspaper published in the county where the mortgaged premises or some part thereof is situated, the first publication of such notice in either case to be not less than twenty-one days before the day of sale.

SECT. 2. This act shall take effect on its passage. Takes effect on passage.

[Approved February 1, 1905.]

CHAPTER 3.

AN ACT TO PROVIDE FOR THE ASSESSMENT AND COLLECTION OF A STATE TAX FOR THE YEAR 1905.

SECTION
1. State tax of $425,000 for 1905.
2. Repealing clause.
SECTION
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The sum of four hundred twenty-five thousand dollars shall be raised for the use of the state for the year 1905, and the state treasurer is hereby directed seasonably to issue his warrants to the selectmen of the several towns and places and to the assessors of the several cities in this state, according to the apportionment of the public taxes made at the January session of the legislature in 1903; and the selectmen of such towns and places and the assessors of such cities are hereby directed to assess the sums specified in said warrants and cause the same to be paid to said treasurer on or before the first day of December, 1905, and the said treasurer is hereby authorized to issue his extent for all taxes which shall remain unpaid on the date last above mentioned. State tax of $425,000 for 1905.

SECT. 2. All parts of section 1 of chapter 66 of the Laws of 1903, entitled "An act to provide for the assessment and Repealing clause.

collection of an annual state tax for the term of two years," which are inconsistent with this act are hereby repealed.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 2, 1905.]

CHAPTER 4.

AN ACT IN AMENDMENT OF CHAPTER 196, SECTION 4, PUBLIC STATUTES OF NEW HAMPSHIRE, ENTITLED RELATING TO DESCENT, DISTRIBUTION AND ADVANCEMENTS.

SECTION 1. Bastards and their issue heirs of mother and her kindred.

Be it enacted by the Senate and House of Representatives in General Court convened:

Bastards and their issue heirs of mother and her kindred.

SECTION 1. That section 4 chapter 196 Public Statutes of New Hampshire be amended by adding the words and her kindred so that said section shall read: SECT. 4. The heirs of a bastard in the ascending and collateral lines, shall be the mother and her heirs; and bastards and their issue shall be heirs of the mother and her kindred.

[Approved February 2, 1905.]

CHAPTER 5.

AN ACT TO CLOSE ICE FISHING IN LYME OR POST POND IN THE TOWN OF LYME.

SECTION
1. Ice fishing prohibited for four years.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Ice fishing prohibited.

SECTION 1. If any person shall fish through the ice in Lyme or Post pond, so called, in the town of Lyme, during the next four years from the passage of this act, he shall be fined twenty dollars for each offense.

Takes effect on passage.

SECT. 2. This act shall take effect from its passage.

[Approved February 2, 1905.]

CHAPTER 6.

AN ACT TO AMEND SECTION 1 OF CHAPTER 64 OF THE LAWS OF 1893 RELATING TO THE ENGROSSMENT OF THE BILLS AND JOINT RESOLUTIONS.

SECTION
1. Engrossed bills, etc., may be typewritten.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of chapter 64 of the Laws of 1893 is hereby amended by inserting after the word "handwriting," in the second sentence thereof, the words or typewriting as the secretary of state shall determine, so that said section as amended will read as follows: SECTION 1. The secretary of state shall cause to be engrossed all bills and joint resolutions which have passed both branches of the legislature. The same shall be done in plain and legible handwriting or typewriting as the secretary of state shall determine, without erasure or interlineation, upon paper of suitable size, with a margin of not less than an inch and a half on each side; and he shall bind such bills and resolutions as become laws in volumes of convenient size, with titles designating the contents and the legislative year, and in all respects uniform with the manuscript laws now in his office. After each bill and joint resolution requiring approval has been engrossed, and signed by the speaker of the house and president of the senate, such bills and joint resolutions shall be presented by the secretary of state to the governor for his approval, and in his presence he shall note thereon the hour and day when presented for approval, and shall make a similar entry in the records of his office.

Engrossed bills, etc., may be typewritten.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved February 8, 1905.]

CHAPTER 7.

AN ACT TO AUTHORIZE THE SUPERIOR COURT TO CHANGE THE NAME OF A LIBELLANT WHEN A DIVORCE IS DECREED.

SECTION
1. Superior court may change name of divorced woman.
2. Clerks of court to return lists of changes.
SECTION
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Superior court may change name.

SECTION 1. In proceedings for divorce, when the libellant shall have asked in the libel to have her name changed, the court may, when a divorce is decreed, decree the change of the libellant's name to a name which she bore before her last marriage.

Clerks of court to return lists.

SECT. 2. The clerk of the superior court for each county shall at the end of each term of court holden therein transmit to the register of probate for the county a full and correct list of all changes of names that have been decreed by the superior court under this act; and the register of probate shall return said list of changes of names to the secretary of state who shall cause such list to be published as the lists of names changed by the judges of probate are now published, except that names changed under the provisions of this act shall be designated when published as names changed by the superior court in divorce proceedings.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 8, 1905.]

CHAPTER 8.

AN ACT IN AMENDMENT OF SECTION 8 OF CHAPTER 182 OF THE PUBLIC STATUTES ENTITLED "JUDGES OF PROBATE AND THEIR JURISDICTION."

SECTION
1. Administration, where granted.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Administration, where granted.

SECTION 1. Section 8 of chapter 182 of the Public Statutes is hereby amended by adding at the end of said section the following words: or in which the personal representative or kin of such person has a cause of action, so that said section

as amended shall read as follows: SECT. 8. Probate of the will and granting of administration on the estate of a person deceased shall belong to the judge of probate for the county in which such person was last an inhabitant; but if such person were not an inhabitant of this state, the same shall belong to the judge for any county in which such person had estate, or in which the personal representative or kin of such person has a cause of action.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 8, 1905.]

CHAPTER 9.

AN ACT TO AMEND THE PUBLIC STATUTES, SECTION 5 CHAPTER 37, OF THE LAWS OF 1895, RELATING TO THE FEE OF BAIL COMMISSIONERS.

SECTION
1. Fee between 10 p. m. and 6 a. m.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Strike out the words "a fee of one dollar for their services in such cases" so that the amended section shall read as follows: [Sect. 5.] The bail commissioners in such cases shall be entitled to a fee of two dollars when called between the hours of ten o'clock at night and six o'clock in the morning; and a fee of one dollar in such cases when called at any time not included within the above space of time. Fee between 10 p. m. and 6 a. m.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 8, 1905.]

CHAPTER 10.

AN ACT IN AMENDMENT OF PARAGRAPH XIV SECTION 10, CHAPTER 50 OF THE PUBLIC STATUTES, RELATING TO THE POWERS OF CITY COUNCILS.

SECTION 1. City councils may establish sprinkling districts.

Be it enacted by the Senate and House of Representatives in General Court convened:

City councils may establish sprinkling districts.

SECTION 1. Section 10, chapter 50 of the Public Statutes be and the same is hereby amended by inserting after the word "necessary" at the end of paragraph XIV of said section the words to lay out and establish upon the petition of ten or more legal voters inhabitants of the city, by suitable boundaries such adjacent parts of the city as they may deem convenient for the following purpose: the sprinkling of streets; and like steps shall be taken thereupon as in the establishment of village districts, so that said paragraph, as amended, shall read: XIV. Relative to the grade of streets, and the grade and width of sidewalks; to the laying out and regulating public squares and walks, commons, and other public grounds, public lights and lamps; to trees planted for shade, ornament, convenience, or use, and the fruit of the same; to trespasses committed on public buildings and other public property, and in private yards and gardens; in relation to cemeteries, public burial grounds, the burial of the dead, and the returning and keeping records thereof, and bills of mortality, and the duties of physicians, sextons, and others in relation thereto; relative to public wells, cisterns, pumps, conduits, and reservoirs; the places of military parade and rendezvous, and the marching of military companies with music in the streets of the city; relative to precautions against fire; relative to oaths and bonds of city officers, and penalties upon those elected to such offices refusing to serve; and relative to licensing and regulating butchers, petty grocers or hucksters, peddlers, hawkers, and common victualers; dealers in and keepers of shops for the purchase, sale, or barter of junk, old metals, or second-hand articles, and pawnbrokers: under such limitations and restrictions as to them shall appear necessary; to lay out and establish upon the petition of ten or more legal voters inhabitants of the city, by suitable boundaries such adjacent parts of the city as they may deem convenient for the following purpose: the sprinkling of streets; and like steps shall be taken thereupon as in the establishment of village districts.

[Approved February 8, 1905.]

CHAPTER 11.

AN ACT RELATING TO BRIEFS AND COSTS IN THE SUPREME COURT.

SECTION
1. Copies and briefs, how to be furnished.
2. Costs for briefs, how taxed.
SECTION
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Copies and briefs, how to be furnished.

SECTION 1. Section 14 chapter 204 of the Public Statutes be and the same is hereby amended by striking out all after the word "relies" in the ninth line of said section to the word "case" in the eleventh line thereof and by inserting the words but no after said word "relies" and by inserting the word shall after the word "case" in said eleventh line, so that as amended said section shall read: SECT. 14. In a case so reserved upon a statement of facts agreed to by the parties, the plaintiff, and in other cases reserved, and upon a bill of exceptions allowed, the party excepting or moving, shall furnish to the court copies of the case and papers referred to, sufficient for the justices sitting in the case; and each party who desires to be heard shall furnish to each of the justices, to each of the opposing counsel, to the state reporter, and to the state library a brief of the points and authorities upon which he relies, but no case shall be dismissed for want of a brief.

Costs for briefs, how taxed.

SECT. 2. Section 6 chapter 287 of the Public Statutes is hereby amended by striking out the words "law term of the" in the second line of the section and also by striking out all of the section after the words "state library" in the seventh line thereof and by inserting in the place thereof the following: within the time limited by the rules of court or any special order made in the case, so that the section when amended will read as follows: SECT. 6. The prevailing party in an action transferred to the supreme court shall be entitled to tax and recover of the adverse party, for the brief of his counsel, a reasonable sum not exceeding fifteen dollars, to be allowed by the court, if a copy of the brief was furnished to each member of the court, each [one] of the counsel of the adverse party, the state reporter, and the state library within the time limited by the rules of court or any special order made in the case.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 8, 1905.]

CHAPTER 12.

AN ACT TO PROTECT THE WATERS OF ALTON BAY FROM POLLUTION BY SAWDUST AND OTHER WASTE.

SECTION
1. Deposit of sawdust and mill-waste prohibited.
2. Penalty for violation.
3. Repealing clause.
4. Takes effect April 1, 1905.

Be it enacted by the Senate and House of Representatives in General Court convened:

Deposit of sawdust and mill-waste prohibited.

SECTION 1. That no sawdust, shavings, or other waste products of saw mills, planing mills, or other manufactories shall be deposited, dumped, or placed in that part of Lake Winnipesaukee known as Alton bay, nor shall any sawdust, shavings, or other waste products be allowed to escape into, or be deposited, dumped, or placed in any stream which runs, or empties, into said bay.

Penalty for violation.

SECT. 2. Any person, or any officer of any corporation, violating the provisions of this act shall be fined not exceeding twenty-five dollars for each offense, and each day of a violation of the same shall be deemed a separate offense.

Repealing clause.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

Takes effect April 1, 1905.

SECT. 4. This act shall take effect on April 1, 1905.

[Approved February 9, 1905.]

CHAPTER 13.

AN ACT IN AMENDMENT OF SECTION 8, CHAPTER 177 OF THE PUBLIC STATUTES, ALLOWING GUARDIANS TO LEASE WARD'S REAL ESTATE WITH THE CONSENT OF THE JUDGE OF PROBATE.

SECTION
1. Guardian may lease real estate of ward.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Guardian may lease real estate of ward.

SECTION 1. Section 8 of chapter 177 of the Public Statutes, as amended by chapter 5 of the session Laws of 1895, is hereby amended by adding thereto the following words: The judge may, on the petition of a guardian setting forth a description of the property and after due notice and hearing thereon, if it appears necessary or expedient, authorize such guardian

to lease any of the ward's real estate for such term of years, at such rental, and on such conditions as the judge may in his decree direct, so that said section as amended shall read as follows: SECT. 8. The judge may authorize the guardian to sell at auction the real estate of his ward, or any wood or timber growing thereon, whenever it is necessary for the support of the ward or his family, or will be conducive to his or their interests. The judge may, on petition of a guardian, and if after due notice and hearing thereon it appears to be necessary or expedient, authorize such guardian to mortgage any real estate of his ward. The petition shall set forth a description of the estate to be mortgaged, the amount of money necessary to be raised, and the purposes for which such money is required, and the decree of the court upon such petition shall fix the amount for which the mortgage may be given. The judge may, on the petition of a guardian setting forth a description of the property and after due notice and hearing thereon, if it appears necessary or expedient, authorize such guardian to lease any of the ward's real estate for such term of years, at such rental, and on such conditions as the judge may in his decree direct.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 9, 1905.]

CHAPTER 14.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 113 OF THE PAMPHLET LAWS OF 1901, ENTITLED: "AN ACT IN AMENDMENT AND IN ADDITION TO CHAPTER 195 OF THE PUBLIC STATUTES ENTITLED 'THE RIGHTS OF HUSBAND OR WIFE SURVIVING IN THE ESTATE OF THE DECEASED HUSBAND OR WIFE.'"

SECTION		SECTION	
1.	Share of widow if personal estate does not exceed $3,000.	2.	Repealing clause.
		3.	Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of chapter 113 of the pamphlet Laws of 1901 is hereby amended by striking out the phrase "and if he dies intestate" wherever it occurs in said section. So that section 10 of chapter 195 of the Public Statutes as amended shall read as follows: SECT. 10. The widow of a person deceased, testate or intestate, by waiving the provisions of his will in her favor, if any, shall be entitled, in addition to her Share of widow if personal estate does not exceed $3,000.

dower and homestead rights, as her distributive share, to the following portion of his personal estate, remaining after the payment of debts and expenses of administration.

I. One-third part thereof, if he leaves issue surviving him.

II. One half thereof, if he leaves no issue surviving him.

Provided, however, that if such remaining portion does not exceed in value the sum of fifteen hundred dollars, then she shall be entitled to the whole thereof; and in case the value thereof exceeds the sum of fifteen hundred dollars, but does not exceed the sum of three thousand dollars, she shall be entitled to the sum of fifteen hundred dollars.

Repealing clause.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 9, 1905.]

CHAPTER 15.

AN ACT RELATING TO THE TAXATION OF PORTABLE MILLS.

SECTION		SECTION	
1.	Portable mills, how and where taxed.	2.	Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Portable mills, how and where taxed.

SECTION 1. Every portable mill shall be taxed as personal property at its full value in the town where it is on the first day of April, to the owner, if he then resides in such town, otherwise to the owner or person having it in his care or custody on that day; and any person or corporation permitting such property to be deposited on their premises shall be deemed to have the care or custody, and shall have a lien on the same for the payment of said tax; and when any portable mill shall be owned by a person residing out of the town where the same is situated on the first day of April, and is not in the custody of any person residing in such town, the same shall be taxed to the owner thereof; and said town shall have a lien thereon for the payment of the taxes.

Repealing clause; act takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 9, 1905.]

CHAPTER 16.

AN ACT IN AMENDMENT OF SECTIONS 20 AND 21 OF CHAPTER 233 OF THE PUBLIC STATUTES RELATING TO LEVY OF EXECUTIONS.

SECTION		SECTION	
1.	Notice to resident debtor of execution sale of real estate, how given.	2.	Notice how given, if debtor not resident in state or county.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 20 of chapter 233 of the Public Statutes is hereby amended by striking out the words "county or within twenty miles of the property" and inserting in place thereof the words, state, except as provided in the following section; so that said section shall read,—SECT. 20. Notice of the time and place of sale shall be given to the debtor, or left at his abode if he resides in the state, except as provided in the following section, and a like notice shall be posted at two of the most public places in the town in which the property is situate, thirty days before the sale. Notice to resident debtor of execution sale of real estate.

SECT. 2. Section 21 of chapter 233 of the Public Statutes is hereby amended by striking out the words "county or within twenty miles of the property," inserting in place thereof the word state, and adding at the end of said section the following words,—If the debtor resides within the state but not in the county or within twenty miles of the property, the notice may be given in hand to the debtor or left at his abode or may be published; so that said section shall read,—SECT. 21. If the debtor does not reside in the state, a like notice shall also be published. If the debtor resides within the state but not in the county or within twenty miles of the property, the notice may be given in hand to the debtor or left at his abode or may be published. Notice how given, if debtor not resident in state or county.

[Approved February 9, 1905.]

CHAPTER 17.

AN ACT TO PREVENT THE SPREAD OF CONSUMPTION.

SECTION
1. Deaths and removals of consumptives to be reported.
2. Infected premises to be cleansed.
3. Apartments not to be occupied until cleansed.
4. Penalty for violation.
5. Repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Deaths and removals to be reported.

SECTION 1. It shall be the duty of the attending physician or some member of the patient's family or household to report every death from pulmonary consumption, or the removal of a consumptive patient, to the local board of health within one week of said death or removal.

Infected premises to be cleansed.

SECT. 2. It shall be the duty of said local board of health, within one week after such notice or such information from any other source, to cause the infected premises to be thoroughly disinfected and cleansed; said work to be carried out by methods endorsed and recommended by the state board of health.

Apartments not to be occupied until cleansed.

SECT. 3. No apartments which have been occupied by a consumptive shall be re-occupied until thoroughly disinfected and cleansed as provided for in this act.

Penalty for violation.

SECT. 4. Any person violating the provisions of this act shall be punished by a fine of fifty dollars for each offense.

Repealing clause.

SECT. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved February 14, 1905.]

CHAPTER 18.

AN ACT TO ENABLE TOWNS AND CITIES TO APPROPRIATE MONEY FOR THE EXTERMINATION OF THE BROWN-TAIL MOTH AND OTHER INSECT PESTS.

SECTION 1. Authority granted; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Authority granted; act takes effect on passage.

SECTION 1. That the several towns and cities of the state are hereby authorized to appropriate and expend money to limit and if possible exterminate the ravages of the brown-tail moth and other insect pests. This act shall take effect upon its passage.

[Approved February 15, 1905.]

CHAPTER 19.

AN ACT TO AMEND SECTION 4 OF CHAPTER 96 OF THE LAWS OF 1901 ENTITLED "AN ACT RELATING TO HIGH SCHOOLS," AS AMENDED BY SECTION 1 OF CHAPTER 31 OF THE LAWS OF 1903.

SECTION
1. "High school" or "academy" defined.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 4 of chapter 96 of the session Laws of 1901 as amended by section 1 of chapter 31 of the session Laws of 1903 is hereby amended by striking out the words "one four years' course" after the words "at least" in said section 4, and inserting in place thereof the words one course of not less than four years so that said section shall read as follows: SECT. 4. By the term "high school" or "academy" as used in this act, is understood a school having at least one course of not less than four years, properly equipped and teaching such subjects as are required for admission to college, technical school, and normal school, including reasonable instruction in the constitution of the United States and in the constitution of New Hampshire, such high school or academy to be approved by the state superintendent of public instruction as complying with the requirements of this section. And said superintendent is authorized to approve a school maintaining any part of such course for the part so maintained. "High school" or "academy" defined.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 15, 1905.]

CHAPTER 20.

AN ACT RELATING TO THE DISCONTINUANCE OF HIGH SCHOOLS.

SECTION
1. High schools, how discontinued or relocated.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. No high school established by a vote of a town shall be discontinued, or the location thereof be changed, except by the superior court, on petition of the school board of the town district in which it is located, after such notice as How discontinued or relocated.

the court may order, if it shall appear that the educational interests of the town district require such discontinuance or change.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 15, 1905.]

CHAPTER 21.

AN ACT TO PERFECT THE RECORDS OF BIRTHS, MARRIAGES, AND DEATHS.

SECTION
1. Town clerks to be notified if records imperfect.
2. Town clerks to transmit missing statistics; fees.
3. Records to be filed and indexed.
4. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Town clerks to be notified if records imperfect.

SECTION 1. As soon as practicable after the passage of this act the registrar of vital statistics shall ascertain from what towns and for what years returns of births, marriages, and deaths were not made to the state, or are not to be found among the archives of the department of vital statistics, and shall convey this information to the clerks of such towns, together with suitable blanks upon which to make returns.

Town clerks to transmit missing statistics.

SECT. 2. It shall be the duty of the town clerk to transcribe in full upon said blanks all records of births, marriages, and deaths in the possession of the town not already returned, and to transmit the same, properly certified, to the department of vital statistics within such reasonable time as may be allowed by the registrar of vital statistics, and for such service the town clerk shall receive from the town the sum of five cents for each record so transcribed, certified and transmitted.

Records to be filed and indexed.

SECT. 3. All records returned to the department of vital statistics shall be so filed and indexed as to be made readily available for reference, and, when required for any legal purpose, the registrar of vital statistics shall furnish a certified copy, under seal of the department, free of expense.

Repealing clause; act takes effect on passage.

SECT. 4. All acts and parts of acts not consistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 15, 1905.]

CHAPTER 22.

AN ACT TO PERMIT GUARDIANS TO RESIGN.

SECTION
1. Guardian may resign.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Any guardian may upon his request be allowed to resign his trust, whenever it appears to the judge of probate to be proper to allow him to do so. Guardian may resign.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 16, 1905.]

CHAPTER 23.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 102, LAWS [OF] 1901, IN RELATION TO THE NEW HAMPSHIRE SCHOOL FOR [THE] FEEBLE-MINDED CHILDREN.

SECTION
1. Female inmates may be cared for after minority.
SECTION
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 1, chapter 102, Laws [of] 1901, by inserting after the word "institution" in the last line the following: Provision shall also be made for the detention, care and custody of feeble-minded girls, who are inmates of the school, after they reach the age of twenty-one, if in the judgment of the board of trustees their segregation seems to be for the best interests of the community, so that the section as amended shall read: SECTION 1. The state shall establish and maintain a school for the care and education of the idiotic and feeble minded, between three and twenty-one years of age, which shall be known as the New Hampshire School for the Feeble-minded Children. All children supported by towns or counties in the state, who in the judgment of the selectmen of towns or county commissioners of the county or state board of charities are capable of being benefited by school instruction, shall be committed to this institution. Provision shall also be made for the detention, care and custody of feeble-minded girls, who are inmates of the school, after they reach the age of twenty- Female inmates may be cared for after minority.

one, if in the judgment of the board of trustees their segregation seems to be for the best interests of the community.

Repealing clause; act takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved February 16, 1905.]

CHAPTER 24.

AN ACT DISPOSING OF CERTAIN FINES IMPOSED FOR VIOLATIONS OF THE PROVISIONS OF CHAPTER 267 OF THE PUBLIC STATUTES, RELATING TO CRUELTY TO ANIMALS.

SECTION
1. Fines for use of society instituting prosecution.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Fines for use of society instituting prosecution.

SECTION 1. All fines imposed by virtue of the provisions of this chapter shall be for the use of such society, incorporated for the purpose of preventing cruelty to animals, as shall have caused a prosecution to be instituted and paid all costs of such prosecution.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 16, 1905.]

CHAPTER 25.

AN ACT TO PROVIDE FOR THE TAXATION OF BOATS AND LAUNCHES.

SECTION
1. Boats and launches, where taxed.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Boats and launches, where taxed.

SECTION 1. All boats and launches of every description, whatever the motive power may be, the aggregate value of which exceeds one hundred dollars, shall be taxed to the owner thereof in the town where the owner resides, if in the state, otherwise where the property is located on the first day of April.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 16, 1905.]

CHAPTER 26.

AN ACT IN AMENDMENT OF SECTIONS 3 AND 4 OF CHAPTER 162 OF THE PUBLIC STATUTES RELATING TO THE BOARD OF BANK COMMISSIONERS.

SECTION
1. One bank commissioner to be appointed chairman of board.
2. Bank commissioners may employ additional experts.
SECTION
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 3 of said chapter 162 of the Public Statutes is hereby amended by inserting after the word "removed" in the seventh line of said section the following: The chairman of the board shall be appointed and commissioned as such, and the governor, with advice of the council, shall designate one member of the present board who shall be chairman of the board until the expiration of his term; so that said section as amended shall read as follows: SECT. 3. The members of the board shall be appointed by the governor, with advice of the council; and any member may be removed by the same authority, whenever the public good requires it. One member shall be appointed each year to succeed a member whose term of office expires on the first day of December of that year, and shall hold office for three years from that date, unless sooner removed. The chairman of the board shall be appointed and commissioned as such, and the governor, with advice of the council, shall designate one member of the present board who shall be chairman of the board until the expiration of his term. Whenever a vacancy occurs, an appointment shall be made for the unexpired part of the term. The terms of the present members are extended to the first day of December next following the expirations thereof, as heretofore limited. One commissioner to be appointed chairman.

SECT. 2. Section 4 of said chapter 162 of the Public Statutes is hereby amended by inserting after the word "law" in the fifth line of said section the following: The board may employ additional expert assistance whenever they deem it necessary, and the expenses incurred by the employment of such additional assistance shall be paid from the treasury of the state; so that said section as amended shall read as follows: SECT. 4. The annual salary of the members of the board shall be two thousand five hundred dollars each, payable quarterly from the treasury of the state. They shall be allowed in addition their actual traveling expenses incurred while making the examinations required by law. The board may employ additional expert assistance whenever they deem it necessary, Board may employ additional experts.

and the expenses incurred by the employment of such additional assistance shall be paid from the treasury of the state. Their bills for such expenses shall be audited by the governor and council.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 21, 1905.]

CHAPTER 27.

AN ACT RELATIVE TO THE SALARY OF THE REGISTER OF PROBATE OF SULLIVAN COUNTY.

SECTION
1. Annual salary to be $600.
SECTION
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Annual salary $600.

SECTION 1. That the salary of the register of probate of the county of Sullivan shall hereafter be six hundred dollars.

Repealing clause; act takes effect on passage.

SECT. 2. All acts or parts of acts inconsistent herewith are hereby repealed and this act shall take effect upon its passage.

[Approved February 22, 1905.]

CHAPTER 28.

AN ACT IN RELATION TO POLICE COMMISSIONERS APPOINTED BY THE GOVERNOR AND COUNCIL.

SECTION
1. Not disqualified to hold other offices.
SECTION
2. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

May hold other offices.

SECTION 1. No police commissioner appointed by the governor and council shall thereby be disqualified from holding any other state or county office.

Takes effect on passage; repealing clause.

SECT. 2. This act shall take effect upon its passage and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved February 22, 1905.]

CHAPTER 29.

AN ACT IN ADDITION TO CHAPTER 169 OF THE PUBLIC STATUTES RELATING TO AGENTS OF FOREIGN INSURANCE COMPANIES.

SECTION
1. Licenses for insurance brokers provided for.
2. Insurance company chargeable with broker's knowledge.
SECTION
3. No license fee required for office clerk or bookkeeper of agent.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The insurance commissioner may license suitable persons as insurance brokers to place fire insurance risks with the agents of licensed foreign insurance companies on the payment of a fee of ten dollars, said license to expire on the first day of April next after its issue. Any agent of such foreign insurance companies whose license fees as such agent amount to ten dollars may transact the business of broker without additional payment; any such agent whose license fees so paid are less than ten dollars may be so licensed on the payment of such sum as with the fees already paid will amount to ten dollars. Licenses for insurance brokers.

SECT. 2. Companies issuing policies through their agents on applications from brokers shall be charged with the broker's knowledge of facts to the same extent as if he were their agent. Company chargeable with broker's knowledge.

SECT. 3. No license fee shall be required for salaried office clerks or bookkeepers of agents of foreign insurance companies. No license fee for clerk or bookkeeper of agent.

[Approved February 22, 1905.]

CHAPTER 30.

AN ACT IN AMENDMENT OF SECTIONS 1 AND 4 OF CHAPTER 166 OF THE PUBLIC STATUTES RELATING TO BUILDING AND LOAN ASSOCIATIONS.

SECTION
1. Association to receive approval of bank commissioners.
2. Articles of agreement to be approved by bank commissioners.
SECTION
3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

[SECTION 1.] Section 1 of said chapter 166 of the Public Statutes is hereby amended by inserting after the word "and" in the second line of said section the following: upon approval Association to receive approval of bank commissioners.

of the bank commissioners may, so that said section as amended shall read as follows: SECTION 1. Twenty-five or more persons of lawful age may associate together by articles of agreement, and, upon approval of the bank commissioners, may form a corporation for the purpose of accumulating the savings of its members, and of loaning the funds so accumulated to them to enable them to purchase homesteads and improve their condition.

Articles of agreement to be approved by bank commissioners.

SECT. 2. Section 4 of said chapter 166 of the Public Statutes is hereby amended by prefixing to the first line of said section the words after first being approved by the bank commissioners, so that said section as amended shall read as follows: SECT. 4. After first being approved by the bank commissioners the articles of agreement shall be recorded in the office of the clerk of the town in which the business of the corporation is to be carried on, and in that of the secretary of state. When so recorded, the signers thereof and their associates and successors shall become and be a corporation having all the rights and powers, and being subject to all the duties, liabilities, and restrictions of similar corporations, except so far as the same are limited or enlarged by this chapter.

Repealing clause; act takes effect on passage.

SECT. 3. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 23, 1905.]

CHAPTER 31.

AN ACT TO AMEND SECTION 1, OF CHAPTER 36, OF THE LAWS OF 1901, RELATING TO LITTLE DIAMOND POND AND OTHER PONDS.

SECTION
1. Trout protected in certain ponds.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Trout protected in certain ponds.

SECTION 1. That section 1, of chapter 36 of the Laws of 1901 be amended by inserting the words and Big Diamond pond after the words "Little Diamond pond," and by inserting after word "Stewartstown" the words and Nathan pond in Dixville so that said section when amended shall read as follows: SECTION 1. It shall not be lawful for any person to take from the waters of Little Diamond pond and Big Diamond pond in Stewartstown, and Nathan pond in Dixville and Greenough ponds in Wentworth's Location, and Dublin pond

in the town of Dublin, any square-tail trout before the twentieth day of May in any year, under a penalty of twenty dollars for each fish so taken, or had in possession.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 23, 1905.]

CHAPTER 32.

AN ACT IN AMENDMENT OF SECTION 18 OF CHAPTER 165 OF THE PUBLIC STATUTES, RELATING TO SAVINGS BANKS.

SECTION
1. Treasurers of trust companies with savings bank department to furnish bonds.
SECTION
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 18 of said chapter 165 of the Public Statutes is hereby amended by adding to said section the following: and the treasurer of every such company or corporation shall give a bond to the savings department of said company or corporation in like manner as is required of treasurers of savings banks; so that said section as amended shall read as follows: SECT. 18. Trust companies, loan and trust companies, loan and banking companies, and other similar corporations, receiving savings deposits or transacting the business of a savings bank, shall conduct the business as a separate department, and that department shall be amenable to the laws governing savings banks; and the treasurer of every such company or corporation shall give a bond to the savings department of said company or corporation in like manner as is required of treasurers of savings banks. Treasurers of trust companies with savings bank department to give bonds.

SECT. [2.] All acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved February 23, 1905.]

CHAPTER 33.

AN ACT FOR THE BETTER PROTECTION OF OWNERS OF STALLIONS.

SECTION
1. Colts subject to lien for stallion service.
2. Lien not enforceable unless stallion registered with board of agriculture.

Be it enacted by the Senate and House of Representatives in General Court convened:

Colts subject to lien for stallion service.

SECTION 1. Colts foaled in this state shall be subject to a lien to secure the payment of the service fee for the stallion, which shall continue in force until the colt is eight (8) months old, and may be enforced by an attachment of such colt at any time after it is four months old; said lien shall take precedence of any other claim.

Lien not enforceable unless stallion registered with board of agriculture.

SECT. 2. Such lien shall not be enforced unless the owner or manager of such stallion shall have complied with the requirements of chapter 12, of the Public Statutes.

[Approved February 23, 1905.]

CHAPTER 34.

AN ACT FOR THE PROTECTION OF LOONS.

SECTION
1. Loons protected.
2. Penalty for violation.
3. Eggs and young protected; penalty.
4. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Loons protected.

SECTION 1. No person shall hunt, take, kill or destroy a loon inhabiting any of the fresh waters of this state.

Penalty.

SECT. 2. Any person violating the provisions of this act shall be prosecuted [punished] by a fine not exceeding ten dollars or by imprisonment not exceeding six months.

Eggs and young protected; penalty.

SECT. 3. If any person shall designedly take from the nest and destroy the eggs or young of loons, he shall be subject to the same penalties as are prescribed in section 6 of chapter 132 of the Public Statutes.

Repealing clause; act takes effect on passage.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage.

[Approved February 23, 1905.]

CHAPTER 35.

AN ACT TO PROVIDE FOR STATE AID AND FOR THE EXPENDITURES OF OTHER PUBLIC MONEYS IN THE PERMANENT IMPROVEMENT OF MAIN HIGHWAYS THROUGHOUT THE STATE.

SECTION
1. Object of act declared.
2. Supervision and control of business, in whom vested; governor and council may employ state engineer, etc., and fix compensation, and shall make biennial report to legislature.
3. Towns and counties to set apart certain amounts for permanent improvement.
4. Increased appropriation by town if additional state aid desired.
5. Apportionment of additional state aid.
6. Joint fund for permanent improvement, how expended.
7. Governor and council to furnish specifications; contracts to be awarded to lowest bidder.
8. Highways improved from joint fund to be thereafter maintained by towns.

SECTION
9. Governor and council may take land and material by exercise of eminent domain.
10. Annual appropriation of $125,000 for six years, for permanent improvement; unexpended balance available for state highways.
11. State highways, how constructed and maintained; certain roads designated as state highways; plans of state highways.
12. Hurricane Mountain road a state highway.
13. "Valuation" to mean assessed valuation of previous year; governor authorized to draw warrant; repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The object of this act is to secure a more uniform system for the improvement of main highways throughout the state, by the coöperation of the municipalities and the state in providing means therefor, and for the more efficient and economical expenditure of the moneys appropriated for highway construction and repair, the primary object being to secure an improvement of the highways within the limits of every town in the state. Object of act declared.

SECT. 2. The general supervision, control, and direction of the business to which this act relates, so far as the state is concerned, shall be and hereby are committed to the governor and council, who are hereby authorized and empowered to appoint, employ and fix the compensation of a state engineer, agents, and servants, provide and furnish such offices in the city of Concord and such equipment as they may consider necessary, and make such regulations as may be necessary to carry into effect the objects and provisions of this act; and the general supervision, control, and direction of said business, so far as the different municipalities are concerned, shall be and hereby are committed to the selectmen of organized towns, and the mayor and city councils or such other board as has jurisdiction over the highway expenditures of cities; and the commission- Supervision and control, in whom vested; governor and council may employ engineer, etc., and shall make biennial report.

ers of the counties, within which unincorporated towns or places are located, shall have and are hereby given the control and supervision of the business to which this act relates, so far as it concerns such unincorporated towns or places. The governor and council shall make a biennial report to the general court of their doings under this act, embodying in such report a statement of their expenditures, and such other information and recommendations as they may consider expedient.

Towns and counties to set apart certain amounts for permanent improvement.

SECT. 3. Each town shall, of the amount of money annually raised and appropriated for the repair of its highways, set apart the following amounts, to be used for the permanent improvement of its main highways, such improvement to be made under the advice of the state engineer. Towns having a valuation of less than $2,000,000, $1 on each $1,000 of their valuation; towns of $2,000,000 and less than $3,000,000 valuation, $0.75 on each $1,000; towns of $3,000,000 and less than $5,000,000, $0.50 on each $1,000; towns of $5,000,000 and less than $15,000,000, $0.33 1-3 on each $1,000; and towns of $15,000,000 and upwards, $0.25 on each $1,000. And the commissioners of each county within which are located unincorporated towns or places shall set apart of the money raised and appropriated for the repair of highways in such unincorporated towns or places, $1 on each $1,000 of the valuation of each unincorporated town or place in which there are highways.

Increased appropriation by town if additional state aid desired.

SECT. 4. If any city or town, or the county commissioners for any unincorporated town or place desire state aid, as contemplated by this act, for the permanent improvement of the highways within such towns or unincorporated town or place, in addition to the improvements provided for by the amount set apart, as required by section 3 of this act, such city or town, and the commissioners of the county for such unincorporated town or place, shall raise, appropriate, and set apart an additional sum equal to fifty per cent. of the amount required to be set apart for permanent improvements under section 3 of this act, and all money set apart by any city or town under this section, meaning the additional sum equal to fifty per cent. of the amount required to be set apart under section 3 of this act, shall be raised, appropriated, and set apart in addition to the amount now required by law to be raised for the maintenance of highways. Application for such state aid, in any year, and notice of the raising, appropriation, and setting apart of such additional sum by any city or town, or by the commissioners of any county entitled to state aid, shall, on or before May 1st of such year, be made and given to the governor and council in the manner provided by the regulations authorized by section 2 of this act; otherwise they shall not be entitled to such aid for such year.

Apportionment of additional state aid.

SECT. 5. The governor and council shall apportion from the amount appropriated under the provisions of this act, to each city, town, and unincorporated town or place which has applied for state aid and has raised, appropriated, and set apart the additional amount provided for in section 4, entitling it to state aid, for the permanent improvement of its highways, for each dollar so set apart by such city or town, or for such unincorporated town or place under sections 3 and 4, the following amounts: Towns and unincorporated towns and places having a valuation of less than $100,000, $3 for each $1 set apart under sections 3 and 4; towns and unincorporated towns and places having a valuation of $100,000 and less than $250,000, $1.25; towns and unincorporated towns and places having a valuation of $250,000 and less than $500,000, $0.60; towns having a valuation of $500,000 and less than $1,000,000, $0.40; cities and towns having a valuation of $1,000,000 and less than $3,000,000, $0.25; and cities and towns having a valuation of $3,000,000 and upwards, $0.20.

Joint fund for permanent improvement, how expended.

SECT. 6. The amount of money set apart by such city or town as applies for state aid, as provided for in sections 3 and 4, with the amount apportioned by the governor and council, as provided for in section 5, shall constitute a joint fund for the permanent improvement of such highway or highways within such city or town as the governor and council, and mayor and city councils or such other board as has jurisdiction over highway expenditures of a city, or selectmen of a town, may designate for the permanent improvement of such highways; *provided, however*, that no part of said joint fund shall be expended on any highway within the compact portion of any city or village, such compact portion to be determined by the governor and council, except in towns of less than 2,500 population; and the money set apart under said sections 3 and 4 for the improvement of highways within unincorporated towns and places, with the amount apportioned by the governor and council as provided for in section 5, shall be expended upon such highways within each of such unincorporated towns and places as may be designated by the governor and council and the commissioners of the county in which such unincorporated town or place is located. Such cities and towns as do not apply for state aid under section 4 of this act may expend the money set apart under section 3 for permanent improvements upon such highways as the selectmen may designate. Upon the application of any town, the governor and council may furnish to such town free of charge the services of any engineer in the employ of the state under this act for the purpose of consultation and advice concerning the construction, improvement, and repair of the highways in such town. And such unincorporated towns or places as do not, through the county commissioners, apply for state aid, under section 4 of this act, may

expend the money set apart under section 3 upon permanent improvements upon such highways as the commissioners may designate; and upon the application of any unincorporated place, through the county commissioners, the governor and council may furnish to such unincorporated place free of charge the services of any engineer in the employ of the state under this act for the purpose of consultation and advice concerning the construction, improvement, and repair of the highways in such town. Any part of said joint fund not expended during the year for which it is set apart and apportioned, may be expended during any succeeding year. If, in the opinion of the governor and council, said joint fund, or any part thereof, for any year cannot be advantageously expended, the same may be expended any succeeding year.

Governor and council to furnish specifications; contracts to be awarded to lowest bidder.

SECT. 7. All work of highway improvement paid for out of said joint funds shall be performed in accordance with specifications provided by the governor and council; and contracts therefor, where the amount involved in any one instance exceeds $100, shall be awarded and executed by the governor and council or such agent as they shall authorize, and the mayor and city council or such other board as has jurisdiction over highway expenditures in cities, selectmen of towns, and county commissioners of unincorporated places. All contracts shall be awarded to the lowest responsible bidder, and all work and material shall be to the satisfaction of the governor and council. Any town by its selectmen or city by such board as has jurisdiction over highway expenditures may bid for and may execute a contract on behalf of such city or town for such work within its limits, and in that case the governor and council or such agent as they may authorize, alone, shall award the contract.

Highways improved from joint fund to be maintained by towns.

SECT. 8. All highways within any city or town improved by the expenditure of said joint fund shall thereafter be maintained by the city, town or place within which it is located at the expense of the town, and to the satisfaction of the governor and council, and in case any town or place shall neglect to make repairs ordered by the governor and council, such repairs shall be made under the direction of the governor and council, at the expense of the state, and the cost thereof shall be added to the state tax for that town or place for the next year.

Governor and council may take land and material by exercise of eminent domain.

SECT. 9. The governor and council may purchase, take, and hold for the state, such material or land as may be necessary to secure gravel, stone or other material necessary for the improvement of highways under the provisions of this act, the same to be paid for out of any money appropriated under this act, and the governor and council shall charge such part of the cost thereof to such city, town or unincorporated place in which the material so taken is used, as in their opinion is just and equitable, such part so charged to be paid for out of the

joint fund provided for the improvement of highways in said city, town or unincorporated place. If the governor and council are unable to purchase such material or land at what they consider a reasonable compensation, the selectmen of a town, the board of mayor and aldermen of a city or the county commissioners of an unincorporated place in which such material or land is located, shall assess the damages sustained by the owner of such land, in the same manner as damages for land taken for highway purposes are assessed, and the parties shall have like remedies as in the appraisal of damages for land taken for highway purposes in towns under existing law. The return of such assessment of damages shall be filed with the town or city clerk in the case of towns and cities, and with the clerk of the court for the county in which an unincorporated place is located, and notice thereof in writing given to the land owner with a tender of the amount of damages, if known and resident in the state, otherwise the amount of damages awarded shall be deposited with the state treasurer for such land owner.

Annual appropriation of $125,000 for six years, for permanent improvement; unexpended balance available for state highways.

SECT. 10. The sum of one hundred and twenty-five thousand dollars annually for a period of six years is hereby appropriated for the purpose of securing the permanent improvement of highways in accordance with the provisions of this act, and any unexpended balance of any annual appropriation shall be applied to and be made additional to the appropriation for the succeeding year. After the state aid shall have been set aside under section 5 of this act, and after the expenses of the administration of this act shall have been provided for, the remainder of the total sum appropriated by this act, or such part thereof as the governor and council may think necessary, shall be available for the purposes of section 11 of this act, in such sums and for such state highways as the governor and council shall deem best.

State highways, how constructed and maintained.

SECT. 11. All state highways shall be constructed and maintained by the state under the direction of the governor and council or some agent or agents appointed by them, and the expense thereof shall be paid out of the money appropriated by the state under this act; and the governor and council are hereby authorized to make such changes in the routes of existing state highways as they shall think expedient. Any taking of lands necessary for the purposes of this section shall be by the same proceedings as are provided for the laying out of highways to public waters. As much of the Pinkham Notch road, so called, as lies in Pinkham's grant, Green's grant and Martin's Location; all highways in the unorganized town of Dixville, including a proposed new highway to be built from a point in the main highway near the Balsams and extending to the town line of Colebrook to meet the extension of the John Hicks road, so called, in said Colebrook, in accordance with a

Certain roads designated as state highways.

survey as shown on a plan to be deposited with the secretary of state; so much of the highway leading from Colebrook to Errol as lies in the unorganized town of Millsfield; so much of the Androscoggin River road, so called, leading from Dummer to Errol as lies in the unorganized town of Cambridge; the highway in the towns of Randolph and Gorham which extends from the main highway leading from Jefferson to Gorham to the Pinkham Notch road, so called; so much of the Cherry Mountain road, so called, as lies in the town of Carroll; the new hill road, so called, situated in the town of Errol and leading to the old highway in Wentworth's Location; the highway in the town of Pittsburg which begins at the Farnsworth place, so called, and extends to the Second Lake house; the highway in the town of Stewartstown which begins at a point in the old highway leading to Little Diamond pond and extends to Big Diamond pond; the new Tunnel Stream road, so called, in the town of Benton, beginning at a point near the Parker house and extending to the North and South road, so called, in said town of Benton; and the new Lost River road, so called, in the towns of Easton and Woodstock, beginning at the termination of the old highway in Wildwood and extending to the highway leading from Warren to Woodstock shall be state highways and shall be constructed and maintained by the state, *provided* that parties over whose unappropriated lands the same may pass, or who have any kind of proprietorship in said roads or highways or any part of them, shall, on terms satisfactory to the governor and council, assign the right of way for said highways to the state, or such rights of way shall be duly appropriated by the state under due procedure in the exercise of the right of eminent domain as provided in this section.

Plans of state highways.

The governor and council shall cause surveys and plans of all state highways to be made and deposited with the secretary of state. Towns in which highways more than three miles in length have been or shall be taken or appropriated as state highways shall not be entitled to state aid under the provisions of this act.

Hurricane Mountain road a state highway.

SECT. 12. The Hurricane Mountain road, so called, leading from Conway to Chatham shall be treated and regarded as a state road for the purpose of maintenance.

Meaning of word "valuation"; repealing clause; act takes effect on passage.

SECT. 13. The word "valuation" as used in this act shall be construed to mean the assessed valuation of the previous year. The governor is hereby authorized to draw his warrant for the payment of any sum or sums of money provided for by this act out of any money in the treasury not otherwise appropriated, and all acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 24, 1905.]

CHAPTER 36.

AN ACT ABOLISHING THE JUDICIAL DISTRICTS OF COÖS COUNTY, AND ESTABLISHING TERMS OF COURT THEREIN.

SECTION
1. Acts creating districts repealed.
2. Writs and processes under former laws saved.
3. Terms of court for Coös County.
4. Attendance of grand jurors.
5. Continuances provided for.
6. Jurors to be drawn from body of county.
7. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. So much of chapter 21 of the Public Statutes and so much of any other existing act or law as divided the County of Coös into judicial districts is hereby repealed. Prior acts repealed.

SECT. 2. All writs, process, and other court proceedings now pending in the superior court for either of the judicial districts as heretofore existing shall be in order and treated as pending at the next term of the superior court for the County of Coös at the times and places therefor herein provided, the same as if originally made returnable there and then or previously continued thereto, and after the passage of this act all writs and other process to be entered in said court in said county shall be made returnable at the next term for which due notice of service can be given or made. Writs, etc., saved.

SECT. 3. The terms of said court for the County of Coös shall be held as follows, viz:—on the third Tuesday of April at Lancaster; on the first Tuesday of September at Colebrook; on the first Tuesday of December at Berlin. At each term of said court all causes then pending and otherwise in order, shall be in order. Terms of court.

SECT. 4. Grand juries shall be summoned for attendance at each of said terms provided for in this act, unless the court or some justice thereof shall seasonably advise the clerk of court for said county that the summoning of a grand jury for the next term following the date of such advice, is not required. Grand jurors.

SECT. 5. Continuances shall be to the next term of the superior court, wherever held. Continuances.

SECT. 6. Jurors summoned for attendance at any of the terms of said court shall be drawn from the body of the county. Jurors, how drawn.

SECT. 7. This act shall take effect on its passage and all acts and parts of acts inconsistent with its provisions are hereby repealed. Takes effect on passage; repealing clause.

[Approved February 28, 1905.]

CHAPTER 37.

AN ACT IN RELATION TO MAKING THE DISCHARGE OF MORTGAGES ON REAL ESTATE AND PERSONAL PROPERTY COMPULSORY.

SECTION
1. Discharge to be given and recorded.
2. Penalty for violation.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Discharge and record thereof.

SECTION 1. When a mortgage upon real estate or personal property is satisfied, the mortgagee shall give the mortgagor a discharge thereof, and the mortgagor within thirty days after said mortgage is satisfied, shall cause the discharge thereof to be recorded in the registry of deeds or town clerk's office where said mortgage is recorded.

Penalty for violation.

SECT. 2. Any mortgagor violating the provisions of the foregoing section or any mortgagee who after the satisfaction of his mortgage refuses to give a sufficient discharge thereof, shall be fined not exceeding ten dollars.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 28, 1905.]

CHAPTER 38.

AN ACT TO REQUIRE NON-RESIDENTS TO PROCURE A LICENSE TO HUNT.

SECTION
1. Non-resident not to hunt without license; penalty.
2. Non-resident owner of realty valued at $500 exempt.
3. Licenses, how issued and in what form.
4. To be signed by licensee and carried on his person.
5. Coupons to permit transportation of deer.
6. Transportation of deer regulated.
7. Penalty for violation by common carrier.
8. Exportation of game birds regulated; penalty for violation.
9. Arrest on failure to exhibit license.
10. License fee; expenditure of funds.
11. Act not applicable to Blue Mountain Forest Association.
12. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Non-resident hunter to procure license; penalty.

SECTION 1. If any person, not a *bona fide* resident of this state and actually domiciled therein for a period of six months, shall hunt, pursue or kill, between the first day of October and the fifteenth day of December in any year, within the limits of this state, any wild animals, wild fowl or bird without having

first procured of the fish and game commissioners a license to so hunt, pursue or kill, as hereinafter provided, he shall be fined, for each offense, not exceeding fifty dollars, or be imprisoned not exceeding thirty days, together with the costs of prosecution, or both such fine and imprisonment; and the same penalties shall be imposed upon any such person who shall be convicted of so hunting, pursuing or killing such wild animal, wild fowl or bird on a license which has been issued in the name of another person.

Non-resident owner of realty exempt.

SECT. 2. For the purposes of this act any resident of another state who owns real estate situated within this state which is assessed for taxation at a value of not less than five hundred dollars, shall have the right to hunt without a license.

Licenses, how issued and form of.

SECT. 3. The fish and game commissioners may, upon application therefor, issue a license to a non-resident which shall entitle such person to the same privileges enjoyed by residents of this state as to the hunting and killing of all wild animals, wild fowl or birds. Such license shall be recorded in detail in books kept for that purpose, shall not be transferable nor available to any person other than the one named therein, shall be valid and in force only during the calendar year in which it is issued and dated, and shall entitle the licensee to hunt and kill only during the respective periods of the year when it is lawful for residents to so hunt and kill. Such license shall contain the name, age, color of hair and eyes and residence of the applicant.

To be signed and carried by licensee.

SECT. 4. No license shall be valid unless the signature of the person to whom it is issued is written thereon, and every such person shall at all times when hunting carry his license on his person, and shall at all reasonable times and as often as requested produce and show such license to any person requesting him so to do, and if he fails or refuses to do so he shall forfeit such license and be deemed to be hunting in violation of the provisions of this act.

Coupons for transportation of deer.

SECT. 5. Each license shall be provided with two coupons, which shall each permit the transportation of the carcass of one deer, or parts thereof, and shall be divided into two sections each, lettered A, 1 and A, 2 and B, 1 and B, 2 respectively, and shall be called deer coupons.

Transportation of deer regulated.

SECT. 6. The purchaser of a non-resident hunting license shall be entitled to offer for transportation and have transported, within or without this state, by any common carrier, the carcass, or parts of the carcass, of one deer for each of the coupons attached to said license by presenting to the common carrier or any agent thereof his license with the coupons attached when he shall offer the same for shipment. If only one deer is offered for shipment, the common carrier or agent receiving the carcass or parts thereof shall detach section A, 1

from the coupon, cancel the same by writing or stamping thereon the date and place of shipment, together with his own name, and forward the same forthwith to the fish and game commissioner who issued the license. Section A, 2 of said coupon shall also be cancelled in like manner and attached to the carcass of the deer or parts thereof which shall be offered for shipment and shall remain attached to the same during transportation within this state. If a second deer or parts thereof shall be offered for shipment, the common carrier or agent thereof receiving the same shall detach section B, 1, cancel and forward the same to the commissioner as above provided, and cancel section B, 2, and attach the same to the carcass of the deer or parts thereof which shall be offered for shipment and it shall remain so attached during transportation within this state.

Penalty for violation by common carrier.

SECT. 7. Any common carrier, or any agent, servant or employé of any common carrier, who shall receive for shipment, or transport, or have in his possession with intent to ship or transport, any carcass of a deer or part of the same, for a non-resident, except as herein provided, except heads for mounting, or who shall refuse or neglect to detach the sections of the coupons as herein provided, or who shall neglect to forward to the commissioner the sections of coupons by him detached, as herein provided, shall be punished by a fine of not more than one hundred dollars and costs of prosecution for each offense.

Exportation of game birds; penalty.

SECT. 8. Each non-resident hunting license shall entitle the purchaser thereof to carry from the state not more than twelve wild fowl or birds of all kinds, the exportation of which are [is] prohibited by law in any one calendar year; *provided* the owner thereof shall carry them open to view for inspection, shall present his license for inspection upon demand, and shall have informed, by letter or otherwise, the commissioner who issued the license as to the number and kinds of wild fowl or birds which he intends to carry from the state. If any person shall violate the provisions of this section, or any part thereof, he shall be fined not more than fifty dollars, or be imprisoned not more than thirty days, together with the costs of prosecution or both such fine and imprisonment.

Arrest for failure to exhibit license.

SECT. 9. The fish and game commissioners and the detectives in their employ shall have the right, after demand and refusal or failure to exhibit such license, to arrest without warrant any non-resident person or persons found hunting, pursuing or killing any wild animal, wild fowl or bird, and for the purpose of this arrest any person who shall refuse to state his name and place of residence on demand of such officer shall be deemed a non-resident.

License fee; fund how expended.

SECT. 10. The fee for the license provided for in the preceding sections of this act shall be ten dollars, the money

received by the commissioners for the issuance thereof shall be turned over to the state treasurer, who shall credit the same to the detective fund, so called, to be expended as otherwise provided for by law and under the same supervision as any other moneys belonging to the said fund.

Blue Mt. Forest Ass'n exempt.

SECT. 11. Nothing in this act shall be construed to repeal or affect existing legislation relating to the Blue Mountain Forest association; (and this act shall take effect upon its passage).

Repealing clause; act takes effect on passage.

SECT. 12. Chapter 87 of the Laws of 1903, and all other acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 1, 1905.]

CHAPTER 39.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 92 LAWS OF 1903, RELATING TO FIXING OFFICE HOURS OF STATE OFFICES.

SECTION
1. Closing of state and county offices on certain days.

SECTION
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Closing of state and county offices.

SECTION 1. Amend said section 1, by adding after the word "state" in the first line of said section, the words and county so that said section as amended shall read as follows: SECTION 1. All state and county offices and departments may be closed on legal holidays and on Saturday afternoons throughout the year, if not incompatible with public business.

Repealing clause; act takes effect on passage.

SECT. 2. All acts or parts of acts inconsistent herewith are hereby repealed. This act shall take effect upon its passage.

[Approved March 1, 1905.]

CHAPTER 40.

AN ACT IMPOSING A TAX ON COLLATERAL LEGACIES AND SUCCESSIONS.

SECTION
1. Certain legacies and inheritances taxable.
2. Certain devises in remainder taxable.
3. Certain gifts and bequests to executors, etc., taxable.
4. When tax payable to state.
5. Tax to be deducted by executor.
6. Procedure if legacy charged upon realty.
7. Procedure if legacy given for limited period.
8. Sale of real estate to pay tax.
9. Inventory to be filed; penalty for neglect.
10. Inventory and appraisal to state treasurer.
11. Procedure if real estate subject to tax.
12. Tax paid to be refunded, when.
13. Valuation of property for taxation.

SECTION
14. Jurisdiction of courts of probate.
15. Administration on petition of state treasurer.
16. Final account of administration not allowed until all taxes paid.
17. Action by state treasurer to recover tax.
18. Procedure if stock of resident corporation transferred by foreign executor.
19. Assets of deceased non-resident, delivery to foreign administrator regulated.
20. State treasurer party to petition by foreign administrator.
21. State treasurer to provide books and blanks.
22. State treasurer to pay expenses under act.
23. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Certain legacies and inheritances taxable.

SECTION 1. All property within the jurisdiction of the state, real or personal, and any interest therein, whether belonging to inhabitants of the state or not, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant, sale or gift, made or intended to take effect in possession or enjoyment after the death of the grantor, to any person, absolutely or in trust, except to or for the use of the father, mother, husband, wife, lineal descendant, brother, sister, adopted child, the lineal descendant of any adopted child, the wife or widow of a son, or the husband of a daughter, of a decedent, or to or for the use of charitable, educational or religious societies or institutions in this state the property of which is by law exempt from taxation, or to a city or town in this state for public purposes, shall be subject to a tax of five per cent. of its value, for the use of the state; and administrators, executors and trustees, and any such grantees under a conveyance made during the grantor's life, shall be liable for such taxes, with interest, until the same have been paid.

Certain devises in remainder taxable.

SECT. 2. If a person bequeathes or devises property to or for the use of a father, mother, husband, wife, lineal descendant, brother, sister, an adopted child, the lineal descendant of an adopted child, the wife or widow of a son, or the husband of a daughter, for life or for a term of years, with the remainder to a collateral heir or to a stranger

to the blood, the value of such particular estate shall, within three months after the appointment of the executor, administrator or trustee, be appraised in the manner provided in section 16 and deducted from the appraised value of such property, and the remainder shall be subject to a tax of five per cent of its value.

Certain gifts and bequests to executors taxable.

SECT. 3. If a testator gives, bequeathes or devises to his executors or trustees any property otherwise liable to said tax, in lieu of their compensation, the value thereof in excess of reasonable compensation, as determined by the probate court upon the application of any interested party or the state treasurer, shall nevertheless be subject to the provisions of this chapter.

Tax payable when.

SECT. 4. Taxes imposed by the provisions of this chapter shall be payable to the state treasurer by the executors, administrators or trustees, at the expiration of two years after the date of their giving bond; but if legacies or distributive shares are paid within the two years, the taxes thereon shall be payable at the same time. If the probate court has ordered the executor or administrator to retain funds to satisfy a claim of a creditor, the payment of the tax may be suspended by the court to await the disposition of such claim. If the taxes are not paid when due, interest at the rate of ten per cent. shall be charged and collected from the time the same became payable; and said taxes and interest shall be and remain a lien on the property subject to the taxes until the same are paid.

Executor to deduct tax.

SECT. 5. An executor, administrator or trustee holding property subject to said tax shall deduct the tax therefrom or collect it from the legatee or person entitled to said property, and he shall not deliver property or a specific legacy subject to said tax until he has collected the tax thereon. An executor or administrator shall collect taxes due upon land which is subject to tax under the provisions hereof from the heirs or devisees entitled thereto, and he may be authorized to sell said land according to the provisions of section 8 if they refuse or neglect to pay said tax.

If legacy charged upon realty.

SECT. 6. If a legacy subject to said tax is charged upon or payable out of real estate, the heir or devisee, before paying it, shall deduct said tax therefrom and pay it to the executor, administrator or trustee, and the tax shall remain a charge upon said real estate until it is paid. Payment thereof may be enforced by the executor, administrator or trustee in the same manner as the payment of the legacy itself could be enforced.

If legacy for limited period.

SECT. 7. If a pecuniary legacy is given to any person for a limited period, the executor, administrator or trustee shall retain the tax on the whole amount; but if it is not in money, he shall apply to the probate court having jurisdiction of his accounts to make an apportionment, if the case requires it, of

the sum to be paid into his hands by such legatee on account of said tax, and for such further orders as the case may require.

Sale of real estate to pay tax.

SECT. 8. The probate court may authorize executors, administrators and trustees to sell the real estate of a decedent for the payment of said tax in the same manner as it may authorize them to sell real estate for the payment of debts.

Inventory to be filed; penalty.

SECT. 9. An inventory of every estate, any part of which may be subject to a tax under the provisions of this chapter, shall be filed by the executor, administrator or trustee within three months after his appointment. If he neglects or refuses to file such inventory, he shall be liable to a penalty of not more than one thousand dollars, which shall be recovered by the state treasurer; and the register of probate shall notify the state treasurer of any such neglect or refusal within thirty days after the expiration of the said three months.

Inventory and appraisal to state treasurer.

SECT. 10. A copy of the inventory and appraisal of every estate, any part of which is subject to a tax under the provisions of this chapter or, if the estate can be conveniently separated, a copy of the inventory and appraisal of such part, shall within thirty days after it has been filed be sent by the register of probate, by mail, to the state treasurer. The fee for such copy shall be paid by the state treasurer. A refusal or neglect by the register of probate so to send a copy of such inventory and appraisal shall be a breach of his official bond.

If realty subject to tax.

SECT. 11. If real estate of a decedent so passes to another person as to become subject to said tax, his executor, administrator or trustee shall inform the state treasurer thereof within six months after his appointment, or if the fact is not known to him within that time, then within one month after the fact becomes known to him.

Tax refunded, when.

SECT. 12. If a person who has paid such tax afterwards refunds a portion of the property on which it was paid or if it is judicially determined that the whole or any part of such tax ought not to have been paid, said tax, or the due proportion thereof, shall be repaid to him by the executor, administrator or trustee.

Valuation of property.

SECT. 13. Said tax shall be assessed upon the actual value of said property as found by the probate court. Upon the application of the state treasurer or of any party interested in the succession, the probate court shall appoint three disinterested appraisers who, first being sworn, shall appraise such property at its actual market value and shall make return thereof to said court. Such return, when accepted by said court, shall be final. The fees of said appraisers, as determined by the judge of said court, shall be paid by the party applying for such appraisal. The value of an annuity or life estate shall be determined by the "Actuaries' Combined Experience Tables," at four per cent. compound interest.

SECT. 14. The probate court having jurisdiction of the settlement of the estate of the decedent shall, subject to appeal as in other cases, hear and determine all questions relative to said tax affecting any devise, legacy or inheritance, and the state treasurer shall represent the state in any such proceedings. Jurisdiction of probate courts.

SECT. 15. If, upon the decease of a person leaving an estate liable to a tax under the provisions of this chapter, a will disposing of such estate is not offered for probate, or an application for administration made within four months after such decease, the proper probate court, upon application by the state treasurer, shall appoint an administrator. Administration on petition of state treasurer.

SECT. 16. No final account of an executor, administrator or trustee shall be allowed by the probate court unless such account shows, and the judge of said court finds, that all taxes imposed by the provisions of this chapter upon any property or interest therein belonging to the estate to be settled by said account have been paid; and the receipt of the state treasurer for such tax shall be the proper voucher for such payment. Account not allowed until tax paid.

SECT. 17. The state treasurer shall commence an action for the recovery of any of said taxes within six months after the same become payable; and also whenever the judge of a probate court certifies to him that the final account of an executor, administrator or trustee has been filed in such court and that the settlement of the estate is delayed because of the non-payment of said tax. The probate court shall so certify upon the application of any heir, legatee or other person interested therein, and may extend the time of payment of said tax whenever the circumstances of the case require. Action to recover tax.

SECT. 18. If a foreign executor, administrator or trustee assigns or transfers any stock or obligation in any national bank located in this state or in any corporation organized under the laws of this state, owned by a deceased non-resident at the date of his death and liable to a tax under the provisions of this chapter, the tax shall be paid to the state treasurer at the time of such assignment or transfer, and if it is not paid when due, such executor, administrator or trustee shall be personally liable therefor until it is paid. A bank located in this state or a corporation organized under the laws of this state which shall record a transfer of any share of its stock or of its obligations made by a foreign executor, administrator or trustee, or issue a new certificate for a share of its stock or of this transfer of an obligation at the instance of a foreign executor, administrator or trustee, before all taxes imposed thereon by the provisions of this chapter have been paid, shall be liable for such tax in an action brought by the state treasurer. If stock of resident corporations transferred by foreign executor.

SECT. 19. Securities or assets belonging to the estate of a deceased non-resident shall not be delivered or transferred to a foreign executor, administrator or legal representative of said decedent, unless such executor, administrator or legal repre- Delivery of assets to foreign administrator.

sentative has been licensed to receive such securities or assets by the probate court without serving notice upon the state treasurer of the time and place of such intended delivery or transfer seven days at least before the time of such delivery or transfer. The state treasurer, either personally or by representative, may examine such securities or assets at the time of such delivery or transfer. Failure to serve such notice or to allow such examination shall render the person or corporation making the delivery or transfer liable in an action brought by the state treasurer to the payment of the tax due upon said securities or assets.

State treasurer party to petition by foreign administrator.

SECT. 20. The state treasurer shall be made a party to all petitions by foreign executors, administrators or trustees brought under the provisions of this act, and no decree shall be made upon any such petition unless it appears that notice of such petition has been served on the state treasurer fourteen days at least before the return day of such petition.

Books and blanks.

SECT. 21. The state treasurer shall provide the judges and registers of probate of the state with such books and blanks as are requisite for the execution of this act.

Expenses under act.

SECT. 22. The expenses for the execution of this act shall be paid by the state treasurer and the bills therefor shall be submitted to the governor and council for their approval.

Takes effect on passage.

SECT. 23. This act shall take effect upon its passage.

[Approved March 8, 1905.]

CHAPTER 41.

AN ACT TO AMEND SECTION 10 OF CHAPTER 141 OF THE PUBLIC STATUTES, ENTITLED "LIENS OF MECHANICS AND OTHERS."

SECTION
1. Lien of laborer on building.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Lien of laborer on building.

SECTION 1. Amend section 10 of chapter 141 of the Public Statutes by striking out the word "thereon," in the fifth line of said section, and inserting in place thereof the words on any materials so furnished, and on said house or other building or appurtenances, so that said section as amended shall read: SECT. 10. If any person shall, by himself or others, perform labor or furnish materials to the amount of fifteen dollars or more, for erecting, altering, or repairing a house or other building or appurtenances, by virtue of a contract with the

owner thereof, he shall have a lien on any materials so furnished, and on said house or other building or appurtenances and on any right of the owner to the lot of land on which the house, building or appurtenances stand.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 8, 1905.]

CHAPTER 42.

AN ACT RELATING TO THE TAXATION OF ELECTRIC POWER AND LIGHT PLANTS OWNED BY PERSONS AND PRIVATE CORPORATIONS.

SECTION		SECTION	
1.	Electric power and light plants, where taxed.	4.	Property of municipal corporations exempted.
2.	If situate in more than one town.	5.	Repealing clause; act takes effect on passage.
3.	Classed with buildings, mills, etc.		

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Lands, dams, canals water power, buildings, structures, machinery, dynamos, apparatus, poles, wires, fixtures of all kinds and descriptions owned, operated and employed by any private corporation or person not a municipal corporation in generating, producing, supplying and distributing electric power or light, shall be taxed as real estate in the town or towns in which said property or any part of it is situated. Where taxed.

SECT. 2. If the property described in section 1 of this act shall be situated in or extend into more than one town, said property shall be taxed in each town according to the value of that part and proportion of the same lying within its limits. If in more than one town.

SECT. 3. The property described in section 1 of this act shall be classified for purposes of taxation with that described in section 3 of chapter 55 of the Public Statutes. How classed.

SECT. 4. Nothing in this act shall be construed as in any way changing or affecting the existing laws relating to the taxation or non-taxation of public utilities and other property owned by municipal corporations. Property of municipalities exempted.

SECT. 5. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved March 8, 1905.]

CHAPTER 43.

AN ACT IN AMENDMENT OF CHAPTER 220 OF THE PUBLIC STATUTES OF NEW HAMPSHIRE RELATING TO THE ATTACHMENT OF BULKY ARTICLES.

SECTION
1. Attachment of bulky articles, how made.
2. Filing of return with register of deeds not required.
3. Waste of such property after attachment, how punished.
4. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Attachment of bulky articles, how made.

SECTION 1. That the whole of section 16 of chapter 220, of the Public Statutes of the State of New Hampshire is hereby stricken out and in lieu of the same there shall be inserted the following:—SECT. 16. The officer attaching grain unthreshed, hay, potatoes, leaf tobacco, lumber, bark, wood or other fuel, bricks, stone, lime, gypsum, ore, manufacturing or other machinery, hides in the process of tanning, any building situate on land not belonging to the owner of the building, portable engines, portable saw-mills, automobiles, doors, blinds, window sash, lumber in the process of manufacture, pianos, organs, such hotel furniture and household goods as are not exempt from attachment or levy on execution, railroad cars in progress of building, cattle, sheep, horses, and other live animals which are subject to attachment, flax in the raw state, or in process of curing or manufacturing, tobacco in process of curing, starch, flour, sugar, cotton in bales or process of manufacturing, hops, saw-logs, ashes, stone, bark, hives of bees, hay scales, corn on the cob, corn-stalks, corn in the husk, staves or shooks, derricks and the tackle and appendages connected therewith, utensils and apparatus kept on a farm for the manufacture of maple sugar, pig iron, bloomed iron, scrap iron, railroad iron, railroad ties, fence posts or rails, iron and steel safes, horse power and other threshing machines, stone channeling or cutting machines, drilling and marble boring machines, boats, launches, and all other articles which by reason of their size, situation, fluidity, explosive or inflammable qualities, are incapable of being conveniently taken into actual possession, may within forty-eight hours thereafter, leave an attested copy of the writ and of his return of such attachment thereon as in the attachment of real estate; and in such cases the attachment shall not be dissolved or defeated by any neglect of the officer to retain actual possession of the property. Service may be made on the defendant, before or after leaving the attested copy of the writ as aforesaid.

No return to register of deeds.

SECT. 2. Nothing in this act shall be construed to require the officer's return to be filed in the office of the register of deeds of any county in the state.

SECT. 3. Any person who shall waste, destroy, or diminish in quantity any of the property attached in the manner set forth in the preceding section shall be liable to a fine of double the value of the property so wasted, destroyed, or diminished in quantity, or shall be punished by imprisonment of not more than one year. Waste of property after attachment, how punished.

SECT. 4. All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved March 8, 1905.]

CHAPTER 44.

AN ACT IN RELATION TO THE BOUNTY ON HEDGEHOGS.

SECTION
1. Bounty repealed.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Chapter 62 of the Laws of 1903 entitled, "An act to provide for a bounty on hedgehogs" is hereby repealed. Bounty repealed.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 8, 1905.]

CHAPTER 45.

AN ACT FOR THE PROTECTION OF SAVINGS BANKS AND OTHER SAVINGS INSTITUTIONS.

SECTION
1. Procedure if deposit book lost or destroyed.
2. New book to be issued after three months.
3. If duplicate book refused, or adverse claim made.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Whenever the deposit book of a depositor in a savings bank, or savings institution, is alleged to be lost or destroyed, and the depositor shall request such bank or institution to issue to him a duplicate thereof, he shall, if such bank or institution so requires, advertise such loss or destruction by When deposit book lost or destroyed.

publishing a notice thereof containing a description of such book by its date and number, together with the name of the bank or institution which issued the same three weeks successively in two newspapers, one published in the vicinity of the residence of the depositor, and the other in the vicinity of the place of business of such bank or institution, and by posting a like notice at the office of such bank or institution.

Issue of new book.

SECT. 2. If no other person shall make claim to such book or to the deposit thereunder within three months after such publication and notice, such savings bank or savings institution shall issue to the depositor a duplicate of such book which shall contain a complete statement of the depositor's account, and shall state that it is issued in lieu of the one alleged to have been lost or destroyed; and such savings bank or savings institution shall not be liable thereafter on account of such original book.

Duplicate refused or adverse claim made.

SECT. 3. If any adverse claim shall be made to such original book or deposit before a duplicate book has been issued, or if such savings bank or savings institution shall refuse to issue a duplicate thereof, such claimant or depositor may petition the superior court for relief and such court may after due notice and hearing, make such orders and decrees in the premises as justice shall require.

Takes effect on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved March 8, 1905.]

CHAPTER 46.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 122 OF THE LAWS OF 1903 ENTITLED "AN ACT TO AMEND CHAPTERS 2 AND 112 OF THE PUBLIC STATUTES AND TO PROVIDE FOR THE BETTER ENFORCEMENT OF THE LIQUOR LAW."

SECTION 1. Illegal sale, etc., of liquor, how punished.

Be it enacted by the Senate and House of Representatives in General Court convened:

Illegal sale, etc., of liquor, how punished.

SECTION 1. Amend section 1 chapter 122 of the Laws of 1903 by striking out all of said section and inserting in place thereof the following. SECTION 1. Amend section 15 of chapter 112 of the Public Statutes by striking out all of said section and inserting in place thereof the following. SECT. 15. If any person, not being an agent of a town for the purpose of selling spirit shall sell or keep for sale any spirituous liquor in any quantity, he shall be fined not less than $25

or more than $100 and also shall be imprisoned not less than thirty days or more than sixty days. And for any subsequent offense he shall be fined not less than $100 or more than $200 and imprisoned not less than two months or more than twelve months.

[Approved March 8, 1905.]

CHAPTER 47.

AN ACT IN AMENDMENT OF SECTION 1, CHAPTER 221 OF THE PUBLIC STATUTES IN RELATION TO EXEMPTIONS FROM ARREST.

SECTION 1. Exemption of females from arrest.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 1, chapter 221 of the Public Statutes by adding the following words at the end of the section :—nor upon any action founded upon a conditional sale of clothing by lease or otherwise. So the said section shall read as follows: SECTION 1. No female shall be arrested upon a writ in an action founded on contract, nor upon any action founded upon a conditional sale of clothing by lease or otherwise. Exemption of females.

[Approved March 8, 1905.]

CHAPTER 48.

AN ACT TO AMEND SECTION 1, CHAPTER 88, PUBLIC STATUTES (AS AMENDED BY CHAPTER 92, SESSION LAWS OF 1901), ENTITLED "SCHOOL MONEY."

SECTION
1. School tax, amount and assessment.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 1, chapter 88, Public Statutes, (as amended by chapter 92, session Laws of 1901) be amended by striking out the words "six hundred" between the words "of" and "dollars" and substituting therefor the words seven hundred and fifty, so that the section as amended shall read as School tax, amount and assessment.

follows: SECTION 1. The selectmen in each town shall assess annually, upon the polls and ratable estate taxable therein, a sum to be computed at the rate of seven hundred and fifty dollars for every dollar of the public taxes apportioned to such town, and so for a greater or less sum.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 8, 1905.]

CHAPTER 49.

AN ACT IN AMENDMENT OF CHAPTER 95, LAWS OF 1903, ENTITLED, "AN ACT TO REGULATE THE TRAFFIC IN INTOXICATING LIQUOR."

SECTION
1. Meaning of words "liquor" and "person."
2. Special agents to have powers of constables; appointment and duties.
3. Classes of licenses; serving liquor at tables; sale of cider; expiration of licenses.
4. Fees for licenses of various classes; hotel regulations in no-license towns.
5. Certain persons not to receive licenses; licenses to co-partnerships; deposit of fee and filing of bond; attorney-general to bring suits on bonds.
6. Licenses not granted for certain locations.
7. Bond of clerk and treasurer of license board; disposition of fees; records open to inspection of certain officers; audit of accounts.
8. Sale or surrender of license by administrator; town or city to pay rebate, when.
9. Sale of liquor to certain persons prohibited.
10. Hours and days of sale regulated.

SECTION
11. Sale of adulterated liquor prohibited; liquor not to be sold or served by certain persons; doors to be closed when sale forbidden; use of screens, etc., prohibited; view of room to be unobstructed; certain licenses not to be exercised in grocery or other store.
12. Sales by druggists regulated.
13. Druggists and hardware dealers to keep record of sales; form of record and certificate.
14. Books, etc., to be open to inspection.
15. Fraudulent certificate or prescription; penalty for making.
16. Notice not to sell to habitual drunkard; service and return, how made; civil liability for sale after notice.
17. Regulations may be prescribed by license board in certain cases; penalty for violation.
18. Violations of act in license town, how punished.
19. Commissioner may summon witnesses and compel attendance; fees of witnesses.
20. Takes effect May 1, 1905; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Meaning of words "liquor" and "person."

SECTION 1. Amend section 1 by inserting after the word "liquors," in the third line, the words: and any beverage which contains more than one per cent. of alcohol, so that said section shall read as follows: SECTION 1. The term "liquor" as used in this act includes and means all distilled and rectified spirits, wines, fermented and malt liquors and any beverage which contains more than one per cent. of alcohol; and

the word "person" shall include firms, associations, co-partnerships and corporations.

SECT. 2. Amend section 5 by adding the words: Said special agents in the performance of their duties shall have the powers of constables in criminal cases within the limits of the state, and section 20, chapter 212 of the Public Statutes shall not apply to them when acting as constables under this section; so that said section, as amended, shall read as follows: SECT. 5. Said board of license commissioners, with the approval of the governor and council, may appoint one or more special agents and fix their compensation. It shall be the duty of said special agents, under the direction of the board of license commissioners, to investigate all matters relating to the collection of license fees or penalties under this act, and in relation to compliance with law by persons holding licenses under the terms of this act. Said special agents may be removed by the board of license commissioners. Any commissioner or special agent may enter any place where liquor is sold, at any time, and may examine any license certificate issued or purporting to have been issued under the terms of this act. He may investigate any other matters in connection with the sale of liquor, and shall make complaints for violations of this act. Said special agents in the performance of their duties shall have the powers of constables in criminal cases within the limits of the state, and section 20, chapter 212 of the Public Statutes shall not apply to them when acting as constables under this section. Special agents to have powers of constables; appointment and duties.

SECT. 3. Amend section 6 by striking out the whole of said section and by inserting in lieu thereof the following: SECT. 6. Licenses shall be of the following classes: Classes of licenses.

First class.—To sell liquor of any kind, to be drunk on the premises, to be issued only to innholders. First.

Second class.—To sell liquor of any kind in quantities less than five gallons to one person at one time. Second.

Third class.—To sell liquor of any kind not to be drunk on the premises. Third.

Fourth class.—To sell malt liquors, cider or light wines, containing not more than fifteen per cent. of alcohol, to be drunk on the premises. Fourth.

Fifth class.—For retail druggists and apothecaries to sell liquor of any kind for medicinal, mechanical, chemical and sacramental purposes only, and for dealers in hardware, paints and decorating materials to sell alcohol for mechanical and chemical uses only, the same to be sold in accordance with the provisions of this act. Any druggist, not a registered pharmacist, who shall have been continually in active business as a druggist from January 1, 1903, and who employs a registered pharmacist, shall be entitled to a license in his own name under this sub-division, provided he be otherwise qualified. Fifth.

Sixth. Sixth class.—To sell malt liquor, cider or light wines to the traveling public, en route, only, to be issued only to keepers of railroad restaurants, under such regulations as the state board of license commissioners shall prescribe.

Seventh. Seventh class.—To sell liquor of any kind to be drunk on the premises, to be issued only to duly incorporated associations, as provided in sub-division 7 of section 8, in the discretion of the board of license commissioners.

Eighth. Eighth class.—To distillers and brewers to sell their product in packages for shipment or distribution to the trade.

Ninth. Ninth class.—To sell liquor of any kind to be drunk on the premises, to be issued to common victualers only in cities or towns which have a population of six thousand or more, *provided, however*, that no bar shall be kept under this class. Subject to these restrictions, the state board of license commissioners may issue licenses of the ninth class to such persons and in such locations as in their judgment will not be detrimental to the public welfare.

Bottling restricted. No licensee of any class, other than of the third class, shall bottle malt liquors. No licensee of the first class shall serve

Serving liquor at tables. any liquor at a table or tables in any room where the exclusive or principal business carried on is the sale of liquor. No licensee of the second or fourth class shall serve any liquor at a table or tables. Each license of the first four classes shall specify the room or rooms in which liquor shall be kept or sold, and no liquor shall be kept or sold in any room or part

Sale of cider. of a building not so specified. No license shall be required for the sale of cider in greater quantities than ten gallons, or by the manufacturer at the press or in an unfermented state.

Expiration of licenses. All licenses granted under this act shall expire on the thirtieth day of April next following, and all licensees shall pay for the time from date of issue to the first day of the May following.

License fees. SECT. 4. Amend section 7 by inserting in the ninth line thereof, after the word, "licensee," the words: in a no-license city or town. Further amend said section 7 by adding after the word, "year," in the forty-fifth line thereof, the following words: when liquor of any kind is sold only upon a physician's prescription. If sold otherwise, as provided by law, then the license fee shall be not less than fifty dollars nor more than five hundred dollars, in the discretion of the state board of license commissioners. Further amend said section 7 by adding to said section, at the end thereof, the following subdivision:

Ninth class.—Not more than twelve hundred dollars nor less than three hundred dollars, and the state board of license commissioners may fix the fee, and restrict, define and limit each license under this class in their discretion: so that said section 7, as amended, shall read as follows: SECT. 7. Fees for licenses shall be as follows:

First class.—Not more than $1,000 nor less than $25 per year, and the state board of license commissioners are hereby authorized and empowered to fix the fee and restrict, define and limit each license of the first class in their discretion, *provided, however*, no licensee of the first class, in a no-license city or town, shall sell or serve liquor except to *bona fide* registered guests who have resorted to his hotel for food or lodging. Such licensee, in a no-license city or town, shall not sell liquor to any resident of the city or town in which his hotel is situated, neither shall he maintain or keep a bar room or bar at which liquor is sold. First class, $25 to $1,000. Hotel regulations in no-license towns.

Second class.—In cities having a population of forty thousand or over, twelve hundred dollars. Second class, $250 to $1,200.

In cities having a population of from eighteen thousand to forty thousand, eight hundred dollars.

In cities having a population of from ten thousand to eighteen thousand, six hundred dollars.

In cities having a population of under ten thousand, four hundred dollars.

In towns whose population exceeds twenty-five hundred, three hundred dollars.

In all other towns, two hundred and fifty dollars.

Third class.—In cities of over forty thousand people, eight hundred dollars. Third class, $100 to $800.

In cities having between eighteen thousand and forty thousand people, six hundred dollars.

In cities having between ten and eighteen thousand people, three hundred dollars.

In cities having a population of less than ten thousand, two hundred dollars.

In towns whose population exceeds twenty-five hundred, one hundred and fifty dollars.

In all other towns, one hundred dollars.

Fourth class.—In cities of over forty thousand people, six hundred dollars. Fourth class, $150 to $600.

In cities of from eighteen thousand to forty thousand, five hundred dollars.

In cities of from ten thousand to eighteen thousand people, four hundred dollars.

In cities having less than ten thousand people, two hundred and fifty dollars.

In towns whose population exceeds twenty-five hundred, two hundred dollars.

In all other towns, one hundred and fifty dollars.

Fifth class.—Ten dollars per year when liquor of any kind is sold only upon a physician's prescription. If sold otherwise, as provided by law, then the license fee shall be not less than fifty dollars nor more than five hundred dollars, in the discretion of the state board of license commissioners, *provided* Fifth class, $10, or $50 to $500.

that nothing in this section shall be so construed as to change the existing law relating to the license fee to be paid by dealers in hardware, paints and decorating materials to sell alcohol for mechanical and chemical uses only.

Sixth class, $50 to $200.

Sixth class.—Not more than two hundred nor less than fifty dollars per year, and the state board of license commissioners are hereby authorized and empowered to fix the fee for each license of the sixth class in their discretion.

Seventh class, $100 to $300.

Seventh class.—Not more than three hundred dollars nor less than one hundred dollars per year, and the state board of license commissioners are hereby authorized and empowered to fix the fee for each license of the seventh class in their discretion.

Eighth class, $300 to $2,000.

Eighth class.—Not more than $2,000 nor less than $300 per year, and the state board of license commissioners are hereby authorized and empowered to fix the fee for each license of the eighth class, in their discretion, having regard to the quantity of product.

Ninth class, $300 to $1,200.

Ninth class.—Not more than twelve hundred dollars nor less than three hundred dollars, and the state board of license commissioners may fix the fee, and restrict, define and limit each license under this class in their discretion.

Certain persons not to receive licenses; licenses to copartnerships; deposit of fee and filing of bond; attorney-general to sue on bonds.

SECT. 5. Amend sub-division 2, section 8, by adding the following words: *provided, however*, that any pharmacist duly registered in this state, who is twenty-one years of age and otherwise a qualified person under the requirements of this act, may receive a license of the fifth class. Amend sub-division 6, section 8, by striking out the words, "a resident of this state and a citizen of the United States," at the end of said sub-division, and by inserting instead thereof the words: a citizen of the United States and a resident of the State of New Hampshire and shall have been a resident of the town or city or an adjoining town or city within which he desires to carry on the liquor business for one year last prior to the filing of his application. Amend sub-division 9, section 8, by adding after the word "person" in the seventh line thereof, the words: shall be given a license.

Further amend said sub-division by striking out the words: "county solicitors upon complaint of said board, shall be given such license" at the end of said sub-division, and inserting in place thereof the words: the attorney-general upon notice from said board; so that said section, as amended, shall read as follows: SECT. 8. No person shall receive a license under the provisions of this act

1. Who has been or shall be convicted of a felony, or knowingly has in his employ a person who has been so convicted;

2. Who is under the age of twenty-five years, *provided, however*, that any pharmacist, duly registered in this state, who is twenty-one years of age and otherwise a qualified per-

son under the requirements of this act, may receive a license of the fifth class;

3. Who is not a citizen of the United States, and a resident of the State of New Hampshire and of the town or city or the adjoining town or city within which he desires to carry on the liquor business, for one year last prior to the filing of his application;

4. Who shall be convicted of a violation of this act, until three years from the date of such conviction;

5. Whose agent or employé shall be twice convicted of a violation of this act, until five years from the date of the second conviction;

6. No co-partnership, unless one or more of the members of such co-partnership, owning at least one-half interest in the business thereof, shall be a citizen of the United States and a resident of the State of New Hampshire, and shall have been a resident of the town or city, or an adjoining town or city within which he desires to carry on the liquor business, for one year last prior to the filing of his application;

7. No corporation or association hereafter organized under chapter 147, Public Statutes, and the acts amendatory thereof, unless the same shall be equipped to furnish food and lodging to its members;

8. No person who, as owner or agent, shall suffer or permit any gambling to be done in the place designated by the license as that in which the traffic in liquor is to be carried on, or in any other place appertaining thereto or connected therewith, or suffer or permit such premises to become disorderly, or carry on or permit to be carried on, or is interested in any traffic, business or occupation, the carrying on of which is a violation of law.

9. All applicants for a license in classes in which the fee is definite in this act shall deposit with said board the full amount of the license fee with the application and in classes in which said board has a discretion as to the amount of the fee such sum as said board shall direct. In case the license is denied the amount so paid shall be refunded. All applications shall be in form prescribed by said board. No person shall be given a license who shall not, within ten days from the receipt of notice from said board of the granting of his application for a license, file with said board a bond in the sum of double the amount of the license fee paid by him, *provided, however*, no bond shall be accepted for a less amount than five hundred dollars, satisfactory to said board, conditioned upon constant adherence to the terms of said license and the provisions of this act, and recoverable in an action of debt to be brought by the attorney-general upon notice from said board.

Licenses not granted for certain locations.

SECT. 6. Amend section 9 by inserting after the word "building," in the second line of said section, the following: or room which does not have its entrance for customers and patrons upon a public highway or. Further amend said section by striking out all of said section after the word "on," in the eighth line thereof, and by inserting in lieu thereof the following: *provided, however*, that a license of the third class may, in the discretion of the board of license commissioners, be granted where the entrance to said building or room (said building or room not being within two hundred feet of a church or schoolhouse) is upon a private way or private property, and *provided, further*, that the restrictions contained in this section shall not apply to any hotel or drug store used as such prior to January 1, 1903, nor to any building owned, occupied and used solely by any incorporated club prior to January 1, 1903, and continuously thereafter; and *provided, further*, that the restrictions contained in this section shall not apply to any building or room where any license has been exercised prior to January 1, 1905, and shall be continuously thereafter exercised; and no license shall be granted for traffic in liquor in any location where it shall be deemed by said board of license commissioners to be detrimental to the public welfare; so that said section 9, as amended, shall read as follows: SECT. 9. No license shall be granted for the traffic in liquor in any building or room which does not have its entrance for customers and patrons upon a public highway or which shall be on the same street or avenue within two hundred feet of a building occupied exclusively as a church or a schoolhouse, the measurements to be taken in a straight line from the center of the nearest entrance to the building used for such church or school to the center of the nearest entrance to the place in which the traffic in liquor is desired to be carried on, *provided, however*, that a license of the third class may, in the discretion of the board of license commissioners, be granted where the entrance to said building or room (said building or room not being within two hundred feet of a church or schoolhouse) is upon a private way or private property, and *provided, further*, that the restrictions contained in this section shall not apply to any hotel or drug store used as such prior to January 1, 1903, nor to any building owned, occupied and used solely by any incorporated club prior to January 1, 1903, and continuously thereafter; [and *provided, further*, that the restrictions contained in this section shall not apply to any building or room where any license has been exercised prior to January 1, 1905, and shall be continuously thereafter exercised;] and no license shall be granted for traffic in liquor in any location where it shall be deemed by said board of license commissioners to be detrimental to the public welfare.

SECT. 7. Amend section 10 by inserting after the word "salaries," in the fifteenth line thereof, the words: the cost of printing their annual reports; so that said section, as amended, shall read as follows: SECT. 10. The clerk of the state board of license commissioners shall be also the treasurer of the board, and as such treasurer he shall file with the secretary of state a bond of an indemnity company licensed to do business in this state in the sum of fifty thousand dollars, the cost of which shall be chargeable to the expense of maintaining the office of the board, and conditioned for the faithful accounting of fees collected and forfeitures incurred under the provisions of this act. All such fees and forfeitures shall be paid to the treasurer of said board, who shall, annually, in the month of July, pay one half of the sum so received to the treasurer of the said city or town where the license was granted, and one half to the treasurer of the county in which said city or town is located, first, however, deducting the entire cost of maintaining the office of said board, including all salaries, the cost of printing their annual report and all expenses attaching to the performance of their duties; also the sum of one thousand dollars, or as much thereof as may be needed to pay the necessary expenses of the state laboratory of hygiene incurred under the provisions of this act, and all expenditures shall be audited by the governor and council. All moneys derived from fees and forfeitures in places where no town organization exists shall be paid to the treasurer of the county in which such place is located. The annual report of said board shall contain a statement by the treasurer of the board of the source from which all moneys received by him were derived, the names of licensees and the classes of licenses, and the street and number in each city or town, when possible, where the licenses are exercised. The records of the state board of license commissioners and all applications for licenses shall be open at all times to the inspection of selectmen, mayors, police officers, prosecuting officers, sheriffs and overseers of the poor. The accounts of the treasurer of the board shall be audited at such times and by such persons as the governor and council may direct, and the expense of such auditing shall be chargeable to the expense of maintaining the office of the license commissioners.

Bond of clerk and treasurer; disposition of fees; records open to inspection; audit of accounts.

SECT. 8. Amend section 13 by inserting after the word, "administrators," in the second line thereof the following words: may sell such license to any person qualified to hold the same upon the executing of the transfer in this act provided for, or; and by adding at the end of said section the following words: If there is not sufficient money in the hands of the treasurer of said board to pay the rebate due upon such surrendered license, said treasurer shall demand in writing of the town or city treasurer where said license was granted, and the

Sale or surrender of license by administrator; town or city to pay rebate, when.

treasurer of the county in which said town or city is located, their proportionate shares of the amount of said rebate, and the same shall be refunded by said town or city and county within thirty days from the receipt of said demand; so that said section, as amended, shall read as follows: SECT. 13. If a person holding a license under the provisions of this act shall die, his heirs, executors or administrators may sell such license to any person qualified to hold the same upon the executing of the transfer in this act provided for, or may surrender said license to said board, *provided* that said license shall have at least one month to run, computed from the first day of the month following such surrender; and said license commissioners shall thereupon compute the amount of rebate then due upon such surrendered license for the unexpired term thereof, and the treasurer of said board shall immediately pay back said sum to the person authorized to receive it, and shall credit himself with the amount so paid back. If there is not sufficient money in the hands of the treasurer of said board to pay the rebate due upon such surrendered license, said treasurer shall demand in writing of the town or city treasurer where said license was granted, and the treasurer of the county in which said town or city is located, their proportionate shares of the amount of said rebate, and the same shall be refunded by said town or city and county within thirty days from the receipt of said demand.

Sales to certain persons prohibited.

SECT. 9. Amend sub-division 4, section 15, by striking out all of said sub-division after the word "given," in the first line of said sub-division, and by inserting in place thereof the words: in accordance with the provisions of section 27 of this chapter, forbidding sale or delivery to such person; so that said section, as amended, shall read as follows: SECT. 15. No person shall sell, deliver, or give away, or cause or permit or procure to be sold, delivered or given away, any liquor

First, to a minor, nor to a minor for any other person;

Second, to an intoxicated person;

Third, to an habitual drunkard;

Fourth, to any person where notice in writing has been given, in accordance with the provisions of section 27 of this chapter, forbidding sale or delivery to such person.

Hours and days of sale regulated.

SECT. 10. Amend section 16 by striking out the word "fifth," in the second line thereof; so that said section, as amended, shall read as follows: SECT. 16. No licensee, except the holder of a license of the first or seventh class, shall sell, furnish, or expose for sale, or give away any liquor

First, on Sunday;

Second, on any other day except between the hours of six in the morning and ten at night; unless the town or board of mayor and aldermen of the city where such licensee carries on business shall extend the hours not later than eleven o'clock at

night, which such town or board of mayor and aldermen is hereby authorized to do;

Third, on the day of any general or city election or town meeting;

Fourth, on a state or national legal holiday.

SECT. 11. Amend sub-division 2, section 17, by adding the words: or to permit any male person under the age of twenty-one years to sell or serve any liquor on the premises, except to *bona fide* registered guests in their rooms, and in dining rooms with meals, under licenses of the first class. Amend sub-division 4, section 17, by striking out the word, "section," in the fourteenth line of said sub-division, and by inserting instead thereof the word, subdivision.

Amend section 17 by adding the following sub-division: 5. To grant any license of the second, third, fourth or eighth class to be exercised in connection with a grocery or other store; so that said section, as amended, shall read as follows:

SECT. 17. It shall not be lawful

Sale of adulterated liquor prohibited.

1. To sell or expose for sale, or to have on the premises where liquor is sold, any liquor which is adulterated with any deleterious drug, substance or liquid which is poisonous or injurious to the health.

Certain persons not to sell or serve liquor.

2. To permit any girl or woman, or knowingly permit any person known to have been convicted of a felony, to sell or serve any liquor on the premises; or to permit any male person under the age of twenty-one years to sell or serve any liquor on the premises, except to *bona fide* registered guests in their rooms and in dining rooms with meals under licenses of the first class.

Doors to be closed, when.

3. To have opened or unlocked any door or entrance from the yard, street, alley, hallway, room, or adjoining premises where the liquor is sold or kept for sale during the hours when the sale of liquor is forbidden, except for the egress or ingress of the holder of the license, his agents and servants, when necessary, for purposes not forbidden by this act; or to admit to such room or rooms any other persons during the hours when the sale of liquor is forbidden.

Screens, etc., prohibited.

4. To have any screens or blinds, any curtains, or anything covering any part of any window, or to have in any part of any window or door any opaque or colored glass that obstructs or in any way prevents a person passing from having a full view from the sidewalk, alley, or road in front of the bar, or room in such building where liquor is sold or kept for sale; or to traffic in liquor in any interior room or place not having in the principal door or entrance to such room or place, a section of such door filled with clear glass so that a clear and unobstructed view of the bar and room where the liquor is sold and kept for sale can be had. And it shall be unlawful to have at any time in the room or place where liquor is sold, any enclosed box or

stall, or any obstruction which prevents a full view of the entire room by every person therein. The provisions of this sub-division shall not apply to licenses under the first and fifth and seventh classes.

No license for grocery, etc.

5. To grant any license of the second, third, fourth or eighth class to be exercised in connection with a grocery or other store.

Sales by druggists regulated.

SECT. 12. Amend section 22, by striking out the last sentence of said section, to wit, the following: "Druggists holding a license of the fifth class may make application for a license of the third class, and may hold such license if granted, in any city or town where this act is in force;" so that said section, as amended, shall read as follows: SECT. 22. Retail druggists and apothecaries shall not sell liquor for medicinal, mechanical, chemical or sacramental purposes except upon the certificate of the purchaser, which shall state the use for which it is wanted, and which shall be immediately cancelled at the time of the sale in such a manner as to show the date of the cancellation. They shall not, when making such sales, upon the prescription of a physician, be subject to the provisions of section 16 of this act.

Druggists, etc., to keep record of sales; form of record and certificate.

SECT. 13. Amend section 23 by inserting the word, kind, before the word, "quantity," in the third line thereof; by striking out the word, "the," before the word, "price," in the fourth line thereof; by inserting the words: shall be a part of said book and shall not be detached therefrom and, after the word, "certificate," in the twelfth line thereof; and by adding to said section the following sub-division: Every dealer in hardware, paints and decorating materials to whom a license of the fifth class is granted, shall keep a book in which he shall enter at the time of every sale of alcohol, the date thereof, the name and residence of the purchaser, his residence by street and number, if there be such, the quantity and price of the alcohol sold, and the purpose for which it is to be used. Said book shall be in form substantially as follows:

Date.	Name of purchaser.	Residence, giving street and number, if there be such.	Quantity.	Price.	Purpose of use.

so that said section, as amended, shall read as follows: SECT. 23. Every retail druggist and apothecary shall keep a book in which he shall enter at the time of every such sale, the date thereof, the name of the purchaser, the kind, quantity and price of said liquor, the purpose for which it was sold, and the residence by street and number, if such there be, of said purchaser. If such sale is made upon the prescription of a physician, the book shall also state the name of the physician, and shall state the use for which said liquor was prescribed and the quantity to be used for such purpose, and shall be cancelled in like manner as the certificate hereinbefore mentioned. Said book shall be in form substantially as follows:

Date.	Name of purchaser.	Residence.	Kind and quantity.	Purpose of use.	Price.	Name of physician.

The certificate shall be a part of said book and shall not be detached therefrom, and shall be in form substantially as follows:

CERTIFICATE.

I wish to purchase ——— ——— and I certify that I am not a minor and that the same is to be used for medicinal mechanical chemical or sacramental purposes. (Draw a line through the words which do not indicate the purpose of the purchase.)

———————— Date of sale and cancellation.
———————— Signature of purchaser.

Every dealer in hardware, paints and decorating materials, to whom a license of the fifth class is granted, shall keep a book in which he shall enter at the time of every sale of alcohol, the date thereof, the name and residence of the purchaser, his residence by street and number, if there be such, the quantity and price of the alcohol sold, and the purpose for which it is to be used. Said book shall be in form substantially as follows:

Date.	Name of purchaser.	Residence, giving street and number, if there be such.	Quantity.	Price.	Purpose of use.

Books, etc., to be open to inspection.

SECT. 14. Amend section 24 by striking out the word, "book," in the first line of said section, and by inserting instead thereof the word, books; by striking out the words, "and the book provided for in the same section," in the second and third lines of said section; by striking out the word, "and," in the sixth line of said section, and by adding the words, and prosecuting agents, at the end of said section, so that said section, as amended, shall read as follows: SECT. 24. The books, certificates and prescriptions provided for in the preceding section shall be at all times open to the inspection of the commissioners and special agents hereinbefore mentioned, the mayor and aldermen, selectmen, overseers of the poor, sheriffs, constables, police officers and prosecuting agents.

Fraudulent certificate or prescription; penalty.

SECT. 15. Amend section 25 by adding at the end of said section the following: and for any subsequent offense he shall be punished by a fine not exceeding fifty dollars and imprisonment for not more than sixty days, so that the section, as amended, shall read: SECT. 25. Whoever makes or issues a false or fraudulent certificate or prescription referred to in section 23 shall be punished by a fine of ten dollars, and for any subsequent offense he shall be punished by a fine, not exceeding fifty dollars, and imprisonment for not more than sixty days.

Notice not to sell to habitual drunkard; service and return, how made; civil liability for sale after notice.

SECT. 16. Amend section 27 by striking out the whole of said section and by inserting in lieu thereof the following: SECT. 27. The husband, wife, parent, son or daughter of lawful age, guardian or employer of a person who has the habit of drinking intoxicating liquor to excess, or the mayor, chief of police or city marshal of the city, or one of the selectmen of the town, or an overseer of the poor of the town or city in which such person lives, or any prosecuting attorney or any county commissioner may give notice in writing, signed by him or her, to any person requesting him not to sell or deliver such liquor to the person having such habit. The notice pro-

vided for in this section may be served by any officer duly qualified to serve process or by any individual of lawful age. Such officer or individual shall make return of service of said notice to the clerk of the city or town in which such service is made, giving the name of the party on whom served, the location by street and number, if any, of the place of business of the licensee on whom service is made, and the date and hour of service. An officer making service of such notice shall make his return thereon as upon civil process. An individual making service of such notice shall sign and make oath to the return thereon. The clerk of the city or town in which such service is made shall receive, file and preserve a copy of such notice and return without charge therefor. If the person so notified, at any time within twelve months thereafter, sells or delivers any liquor to the person having such a habit, or permits him to loiter on his premises, the person giving the notice may, in an action of tort, recover of the person notified, not less than one hundred nor more than five hundred dollars, as may be assessed as damages; but an employer who gives such notice shall not recover unless he is injured in his person or property, and a druggist or apothecary shall not be liable hereunder for a sale made upon the prescription of a physician. A married woman may bring such action in her own name, and all damages recovered by her shall inure to her separate use. A mayor or selectman may bring such an action in his own name for the benefit, at his election, of either the husband, wife, child, parent or guardian of the person having such habit. Upon the death of either party or of the person beneficially interested in the action, the action and right of action shall survive for the benefit of his executor or administrator.

Regulations by board in certain cases.

SECT. 17. Amend section 28 by inserting after the word, "first," at the end of the third line of said section, the words: sixth, seventh and ninth; and by striking out the word, "class," in the fourth line of said section, and by inserting instead thereof the word classes; so that said section, as amended, shall read as follows: SECT. 28. The state board of license commissioners are hereby authorized and empowered to prescribe regulations for the conduct of the traffic in liquor under any license of the first, sixth, seventh and ninth classes, as they may see fit, and whoever violates any such regulation, or any provision of this act or of his license, whatever its class, shall, unless otherwise expressly provided, be punished by a fine of one hundred dollars, the forfeiture of his license and the bond thereon, and by imprisonment for not more than sixty days. Such licensee shall be disqualified to hold a license for three years after his conviction, and if he is the owner of the licensed premises no license shall be issued to be exercised on the premises described in the license during the residue of the term thereof.

Violations in license town, how punished.

SECT. 18. Amend section 33 by inserting after the word, "act," in the third line thereof, the words: or whoever, in such city or town, shall deliver, or cause to be delivered, liquor to any person to whom the sale or delivery is forbidden by sections 15 and 27 of this chapter; so that said section, as amended, shall read as follows: SECT. 33. Whoever, in a city or town wherein the provisions of this act are in force, shall sell, or keep for sale, liquor contrary to the provisions of this act, or whoever, in such city or town, shall deliver, or cause to be delivered, liquor to any person to whom the sale or delivery is forbidden by sections 15 and 27 of this chapter, shall be punished by a fine of two hundred dollars and by imprisonment for not less than one month nor more than two years.

Compulsory attendance of witnesses before board; fees of witnesses.

SECT. 19. Amend said chapter by adding the following section: SECT. 35. Any commissioner may summon or cause to be summoned witnesses to appear before said board of license commissioners to testify at hearings before them. If a witness so summoned fails to appear or to give testimony in accordance with the summons, any justice of the superior court, in term time or vacation, upon application of said board, shall compel the witness to attend before said board and testify, as if he had been duly summoned to testify before said court in an action there pending. The fees of witnesses so summoned shall be the same as of witnesses before the superior court and shall be paid by the treasurer of said board.

Takes effect May 1, 1905; repealing clause.

SECT. 20. This act shall take effect May 1, 1905, and all acts and parts of acts inconsistent with this act are hereby repealed.

[Approved March 9, 1905.]

CHAPTER 50.

AN ACT RELATING TO THE INSPECTION AND LICENSING OF BOATS, AND THE EXAMINATION AND LICENSING OF THEIR CAPTAINS, MASTERS, ENGINEERS, AND PILOTS.

SECTION
1. Inspection districts created.
2. Inspectors, appointment and duties.
3. Boat plying waters of two districts, how inspected.
4. Railroad commissioners to prescribe regulations.
5. Owners to cause annual inspection to be made.
6. Inspectors to fix maximum passenger accommodation.
7. Additional inspection when public safety requires.
8. If boat deemed unsafe, license to be revoked.
9. Appeal to railroad commissioners as to licensing boats.
10. Examination and certification of captains, engineers, and pilots.
11. Officers to be examined under oath.
12. Use of unlicensed boat and employment of unlicensed officer, how punished.
13. Carriage of passengers in excess of allowance, how punished.
14. Assumption of duty by unlicensed persons and delinquency by licensed officers, how punished.
15. Appeal to railroad commissioners as to licensing officers.
16. Boats not running for hire to carry signal lights.
17. Penalty for violation.
18. Taking of excessive fees, etc., by inspector, how punished.
19. Fees of inspectors.
20. Certain fees to be paid by state.
21. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Inspection districts created.

SECTION 1. For the purposes of this act the State of New Hampshire shall be, and hereby is, divided into three (3) districts. District number one shall comprise the counties of Rockingham, Strafford, Merrimack, Hillsborough, Cheshire and Sullivan. District number two shall comprise Carroll county and the town of Alton in Belknap county. District number three shall comprise all that portion of the state not included in the aforesaid district number one and district number two.

Inspectors, appointment and duties.

SECT. 2. The governor with the advice of the council shall appoint for each of the three districts aforesaid one inspector of electric, naphtha, gasoline, or steam boats, whose duty it shall be to inspect all such boats, and the boilers and engines thereof, used for the carriage of passengers or freight for hire on any lake, river, or pond in their respective districts not subject to the authority in this respect of the United States inspection laws, or where inspections under such laws are not regularly made. The inspectors so appointed shall hold office for the term of two years.

Boat plying in two districts, how inspected.

SECT. 3. Whenever a boat used as aforesaid plies the waters of two inspection districts, it shall be inspected by the inspector of the district in which its home port is situated; *provided*, that in case of a boat owned by a stock company and plying the waters of two districts as aforesaid, the directors

of such company shall determine by vote, duly recorded and certified, to which of the two districts it shall be held to belong for the purposes of supervision and inspection. A boat licensed as heretofore provided in this section shall be under the supervision and control of the inspector issuing the certificate, whether plying the waters of his district, or of another district.

Railroad commissioners to make regulations.

SECT. 4. The board of railroad commissioners shall prescribe rules and regulations governing the inspection and licensing of all boats referred to in this act and the equipment and operation thereof, copies of which shall be furnished to the owners or lessees and by them posted in conspicuous places on such boats.

Owners to cause annual inspection.

SECT. 5. The owners or lessees of every electric, naphtha, gasoline, or steam boat used for the carriage of passengers or freight for hire, as provided in section 2, shall cause it to be inspected by the district inspector in all its parts, its engines and its boilers, annually, within thirty (30) days prior to its engaging in the carriage of passengers or freight.

Passenger accommodation to be fixed.

SECT. 6. If upon such inspection the inspector finds the boat, its boilers and engines, to be safe and sufficient for the carriage of passengers and freight, he shall prescribe the maximum number of passengers the boat may carry at any one time, and he shall give the owners or lessees a certificate and license accordingly.

Additional inspections.

SECT. 7. An inspector shall examine such boat, its boilers and engines, at other times as he shall deem the public interest and safety require, not exceeding twice in any year, to see if the provisions of law and the rules and regulations established by the board of railroad commissioners have been complied with.

If boat unsafe, license revoked.

SECT. 8. If any boat licensed as aforesaid shall, during the period of its license, be deemed by an inspector unsafe in its hull, or defective in its engine, boilers or machinery, or if its owners or lessees shall have failed to comply with the rules and regulations prescribed as aforesaid, he shall have power to revoke its license and stop and detain the boat until the necessary repairs have been made, or until the rules and regulations have been complied with, and shall then issue a new certificate or license.

Appeal as to licensing boat.

SECT. 9. If the owners or lessees of boats inspected as aforesaid are not satisfied with an inspector's decision as to the licensing of such boat, they may appeal therefrom to the board of railroad commissioners, who after due notice and hearing shall determine the matters in controversy and their decision shall be final.

Examination of officers.

SECT. 10. The owners or lessees of any boat licensed to carry passengers or freight for hire as provided in this chapter shall not employ any captain, master, engineer or pilot upon

said boat unless such captain, master, engineer or pilot has been examined by an inspector of boats and has a certificate from him as to his competency. Certificates of captains, masters, engineers and pilots shall be of two classes. A general certificate shall give the holder thereof the right to act on such a number, and such classes, of boats as the inspector issuing the same may designate in such general certificate. A certificate shall give the holder thereof the right to act on the boat specified by name in said certificate.

Examination to be under oath.

SECT. 11. All captains, masters, engineers and pilots shall be examined by the inspectors as to their competency under oath, and power to administer oaths in such cases is hereby granted to inspectors.

Use of unlicensed boat and employment of unlicensed officer, how punished.

SECT. 12. If any person shall use any such boat for the carriage of passengers or freight for hire, which, with its boilers and engines, has not been inspected and licensed, as provided in this chapter, or shall employ upon any such boat any captain, master, engineer or pilot who has not been examined and licensed as required by the preceding sections, he shall be fined not exceeding one hundred dollars, or be imprisoned not exceeding one year, or both.

Illegal carriage of passengers, how punished.

SECT. 13. If the owners or lessees of a boat licensed as aforesaid shall carry more passengers than its certificate allows, they shall be fined twenty-five dollars for each passenger carried in excess of the number so allowed.

Illegal assumption of duty and delinquency, how punished.

SECT. 14. If any person shall act as captain, master, engineer or pilot on any boat without the certificate herein required, or if any captain, master, engineer or pilot shall, during the period for which he is licensed, neglect his duties or be of intemperate habits, or violate any of the rules and regulations established by the railroad commissioners; or if any engineer shall carry more steam than the certificate for his boat allows, or shall in any way or manner interfere with the locked safety valve of the boiler, after the same has been set by the inspector, so as to allow greater pressure in the boiler than the amount specified by the certificate, his license shall be suspended or revoked by the inspector, and he may be punished by fine not exceeding one hundred dollars, or by imprisonment not exceeding one year, or by both such fine and imprisonment.

Appeal as to licensing officers.

SECT. 15. If any person is not satisfied with the decision of an inspector in the matter of licensing a captain, master, engineer or pilot, or of revoking a license as aforesaid, he may appeal therefrom to the board of railroad commissioners, who after due notice and hearing shall determine the matters in controversy and their decision shall be final.

Boats not running for hire to carry lights.

SECT. 16. The owners or lessees of any private steam, electric, naphtha, or gasoline launches or boats not running for hire, shall carry signal lights from sunset to sunrise, and

in every way comply with the rules and regulations for the government of captains, masters, engineers and pilots on boats navigating the inland waters of New Hampshire.

Penalty for violation.

SECT. 17. If any party shall violate the provisions of section 16, he shall be fined not less than ten dollars for each offense, or imprisoned for not less than thirty days, or both.

Taking of excessive fees, how punished.

SECT. 18. If any inspector of boats upon any pretense, receives any fee or reward for his services except what is allowed to him by law, he shall forfeit his office, and be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both.

Fees of inspectors.

SECT. 19. Inspectors shall be allowed six cents a mile travel by the most direct route to and from any boat inspected or examined; five dollars for each boat inspected and certified or examined, and one dollar for each certificate of a captain, master, engineer or pilot, all of which shall be paid by the owners or lessees of such boats. Inspectors shall be allowed three dollars for each general certificate of a captain, master, engineer or pilot, which shall be paid by the person in whose name such certificate is issued.

Certain fees to be paid by state.

SECT. 20. For attendance upon hearings before the railroad commissioners, inspectors shall be paid three dollars per day and actual expenses. Fees for occasional examinations, as required by section 7 of this chapter and amounts due for attendance upon hearings before the railroad commissioners, shall be paid from the state treasury upon warrant of the governor. All bills for such fees shall be subject to revision by the governor and council in case of any complaint.

Repealing clause; act takes effect on passage.

SECT. 21. Chapter 119 of the Public Statutes and all amendments thereof, and chapter 82, Laws of 1899, are hereby repealed, and this act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 51.

AN ACT IN AMENDMENT OF CHAPTER 59, LAWS OF 1895, AS AMENDED BY CHAPTER 25, LAWS OF 1901, AND CHAPTERS 69 AND 135, LAWS OF 1903, RELATING TO THE MILITIA.

SECTION
1. Officers, with active militia on peace footing.
2. Regimental field and staff officers.
3. Inspector of rifle practice, duties.
4. Order for raising company, when issued.
5. Description book and enlistment papers.
6. Valid enlistment, what shall constitute.
7. Date of organization; organization, how designated; duty of commanding officer.
8. New enlistments in existing organizations.
9. Bands, how raised; instruments and uniforms.
10. Uniforms, arms, and equipment of new company, how issued.
11. Company drill.
12. Competitive rifle practice.
13. Warning of parade, how given.
14. Pay of inspector of rifle practice.
15. Pay for attendance at rifle competitions, etc.
16. Brevet rank, upon whom conferred; retired list.
18 [17]. Medical examiner of recruits.
19 [18]. Medical officer of cavalry troop.
20 [19]. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend chapter 59, Laws of 1895, as amended by chapter 25, Laws of 1901, and chapter 135, Laws of 1903, as follows: by striking out section 37, and substituting therefor the following: SECT. 37. On a peace footing, to each troop of cavalry there shall be one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, one stable sergeant, five sergeants, five corporals, two trumpeters, and not more than fifty nor less than thirty privates. To each company of infantry there shall be one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, four sergeants, not to exceed six corporals, two musicians, and not more than forty-four nor less than twenty privates. To each four-gun battery there shall be one captain, one senior first lieutenant, one junior first lieutenant, one second lieutenant, one first sergeant, one quartermaster-sergeant, one stable sergeant, five sergeants, eight corporals, two artificers, two trumpeters, and not more than fifty-seven nor less than thirty-six privates. To the signal corps there shall be one sergeant and not more than eight privates: and to the hospital corps, one hospital steward, and not less than eight nor more than twelve privates. The commander-in-chief may, at his discretion, authorize the enlistment of not more than two cooks to each organization. In actual service, when the exigency of the case requires it, the commander-in-chief may by proclamation authorize enlistments to the maximum standard of similar organizations in the army

Officers, with active militia on peace footing.

of the United States, and when the exigency ceases, he shall by proclamation order the reduction of such organizations, in the most expedient way, to the limit on a peace footing.

Regimental field and staff officers.

SECT. 2. [Further amend said chapter 59] by striking out section 38, and substituting the following: SECT. 38. To each regiment of infantry there shall be one colonel, one lieutenant-colonel, one major for each four companies,—and a regimental staff to be appointed by the colonel and removable at his pleasure, to consist of one surgeon with the rank of major, one assistant surgeon with the rank of captain, both of whom shall be graduates of some incorporated school of medicine and shall be practising physicians, one paymaster who shall be the mustering officer and who shall give the bond required in section 21, one chaplain, one adjutant, one quartermaster, who shall act as paymaster when the office of paymaster is vacant, one commissary, and one inspector of rifle practice, each with the rank of captain; and a non-commissioned staff, to consist of one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, one hospital steward, who shall be a registered pharmacist, and one chief trumpeter, who shall be regularly enlisted.

Inspector of rifle practice, duties.

SECT. 3. [Further amend said chapter 59] by striking out section 41, and substituting therefor the following: SECT. 41. The instruction in rifle practice shall be in conformity to the usages and practices of the army of the United States, under the direction of the brigade and regimental inspectors of rifle practice. The brigade commander may cause to be issued such orders as may be necessary for practice and instruction, each season subject to the approval of the commander-in-chief. The inspector shall, within thirty days of the completion of the practice season, report the result of the same to the brigade commander, who shall, within the next ten days thereafter, forward such report to the adjutant-general. He shall also forward to the adjutant-general, through the brigade commander, within thirty days after the close of the season of rifle practice, a list of all commissioned officers and enlisted men who have qualified or requalified in the several classes as marksmen or sharpshooters.

Order for raising company, when issued.

SECT. 4. [Further amend said chapter 59] by striking out section 43 and substituting therefor the following: SECT. 43. When a petition for raising a company has been signed by not less than seventy-five citizens of the town where such organization is to be raised, and when it shall appear that suitable armory accommodations can be secured, the order for raising the same may be issued, and the adjutant-general, on application therefor, shall furnish the petitioners with a descriptive book and enlistment papers.

Descriptive book and enlistment papers.

SECT. 5. [Further amend said chapter 59] by striking out section 44, and substituting therefor the following: SECT. 44.

The descriptive book and enlistment papers shall conform to those in use in the United States army.

Valid enlistment, what constitutes.

SECT. 6. [Further amend said chapter 59] by striking out section 45, and substituting therefor the following: SECT. 45. Signing the enlistment paper and taking the required oath shall constitute a valid enlistment for three years into the company mentioned therein, and no person shall be considered enlisted, or entitled to pay or compensation, until he is so enlisted.

Date of organization, etc.

SECT. 7. [Further amend said chapter 59] by striking out section 50, and substituting therefor the following: SECT. 50. The date of the organization shall be the day of the meeting first held under an order for the nomination of its officers. The organization shall be designated by alphabetical letters, and have seniority according to the dates of the commissions of the commanding officers. As soon as any organization is perfected in accordance with the provisions of this chapter, the commanding officer, after having copied the enlistment papers of the company in the descriptive book, shall forward them at once to the adjutant-general.

New enlistments in existing organizations.

SECT. 8. [Further amend said chapter 59] by striking out section 51, and substituting therefor the following: SECT. 51. Whenever new enlistments are made in any existing organization, the commanding officer shall forward the enlistment papers of men so enlisted to the adjutant-general.

Bands, how raised; instruments and uniforms.

SECT. 9. [Further amend said chapter 59] by striking out section 52, and substituting therefor the following: SECT. 52. The colonel of each regiment may raise by enlistment a band not exceeding twenty-five musicians, including one chief musician, one principal musician, and one drum-major, to be attached to his regiment, and may issue his warrant to the same; *provided*, that the members of such band shall furnish their own instruments. The state uniform shall not be worn except when the band is ordered out by the commander of the regiment, or by his permission.

Uniforms, etc., of new company, how issued.

SECT. 10. [Further amend said chapter 59] by striking out section 72, and substituting therefor the following: SECT. 72. When a company has provided a suitable armory, upon filing in the office of the adjutant-general satisfactory evidence thereof, with the enlistment papers of the company, the commander-in-chief may issue his orders for the delivery to its commanding officer of the necessary uniforms, arms, and equipments. Upon receiving the same, such officer shall receipt therefor to the adjutant-general, and file in his office a bond in the sum of five hundred dollars, with sufficient sureties to hold the same for the use of his company, to keep them in good order, and to return or transfer them according to any legal order thereof. Any other officer receiving and responsi-

ble for the military property of the state shall file a similar bond in such sum as may be required by the adjutant-general.

Company drill.

SECT. 11. [Further amend said chapter 59] by striking out section 75, and substituting therefor the following: SECT. 75. Each company of the New Hampshire National Guard shall drill at least twenty-four times in each year, each drill to be not less than one and a half hours long; *provided*, that the commanding officer may order drills more frequently.

Competitive rifle practice.

SECT. 12. [Further amend said chapter 59] by striking out section 77, and substituting therefor the following: SECT. 77. There shall be such competitions in rifle practice during each season, and such buttons, badges, bars, and trophies, awarded to officers, men, and organizations qualifying in the several classes, or winning the same, as the commander-in-chief may direct.

Warning of parade, how given.

SECT. 13. [Further amend said chapter 59] by striking out section 93, and substituting therefor the following: SECT. 93. Such non-commissioned officers shall warn every person whose name is so inserted, except as provided in the preceding section, by delivering to him in person, or mailing to his last known address, or leaving at his abode, the written order at least four days previous to the time of parade. They shall receive one dollar each for making such service. The non-commissioned officers delivering such warnings shall within four days make a return thereof containing the names of the persons warned and the time, place, and manner of warning.

Pay of inspector of rifle practice.

SECT. 14. [Further amend said chapter 59] by striking out section 101, and substituting therefor the following: SECT. 101. The inspector of rifle practice shall receive the pay of his rank when necessarily on duty in imparting instructions or attending competitions, together with his necessary expenses, but the total amount for pay and expenses shall not exceed three hundred dollars per annum.

Pay for attendance at rifle competitions, etc.

SECT. 15. [Further amend said chapter 59] by striking out section 103, and substituting therefor the following: SECT. 103. Officers, non-commissioned officers, musicians, and privates shall be paid for attendance and performance of duty at the several rifle and revolver competitions when ordered by the commander-in-chief, the same pay and allowance as when ordered to attend encampments, and fifty cents each for duty at the annual inspection, but no compensation shall be allowed for any other company parade or drill.

Brevet rank, upon whom conferred; retired list.

SECT. 16. [Further amend said chapter 59] by striking out section 130, and substituting therefor the following: SECT. 130. The commander-in-chief is hereby authorized to confer upon such citizens of this state as shall have faithfully served as commissioned officers in the New Hampshire National Guard continuously for the term of fifteen years, a brevet rank of not

more than one grade higher than the highest grade held by them during their term of service. Any commissioned officer who shall have been a member of the New Hampshire National Guard continuously for a period of not less than ten years, may at his own request, or upon his honorable discharge from the service of the state, be placed upon the retired list, to be kept hereafter in the office of the adjutant-general. Officers so retired shall receive no pay or allowance, but shall retain their rank and are permitted to wear the uniform of their grade upon all public occasions.

Medical examiner of recruits.

SECT. 18. [17. Further amend said chapter 59] by adding the following sections: SECT. 135. The commander-in-chief may at his discretion appoint in each town or city where military companies are located, a practising physician who shall be a graduate of some incorporated school of medicine, who shall make the medical examination of recruits required by law, and who shall receive as compensation the sum of fifty cents for each examination made. The physician appointed under this section shall furnish captains with a certificate of each examination made and shall forward to the adjutant-general monthly a report of all examinations.

Medical officer of cavalry troop.

SECT. 19. [18. Further amend said chapter 59 by adding the following:] Chapter [SECT.] 136. The commander-in-chief may, in his discretion, appoint an acting assistant surgeon with the rank of first lieutenant, who shall be a graduate of some incorporated school of medicine and a practising physician, for duty as medical officer of the troop of cavalry, and when on duty under proper authority he shall be entitled to the pay of a first lieutenant mounted.

Repealing clause; act takes effect on passage.

SECT. 20 [19]. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 52.

AN ACT TO AMEND CHAPTERS 26, 212, AND 287 OF THE PUBLIC STATUTES, STRIKING OUT THE WORDS "CORONER" AND "CORONERS," WHEREVER THEY APPEAR IN SAID CHAPTERS.

SECTION
1. County officers to give bond.
2. Title amended; if sheriff party, medical referee to serve writ; not disqualified where town a party; penalty for neglect to serve writ.
3. Fees of witnesses; fees of medical referees and constables.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

County officers to give bond.

SECTION 1. Section 1 of chapter 26 of the Public Statutes is hereby amended by striking out the words "and coroners" in the third line and inserting the word and after the word "deeds" and before the word "registers" in the second line; so that said section, as amended shall read as follows: SECTION 1. Before performing any official act, sheriffs, county solicitors, county treasurers, registers of deeds and registers of probate shall give bond to the county, with sufficient sureties, and with a condition in substance as follows: The condition of this obligation is that if said —— who has been elected to (or appointed to, as the case may be) the office of —— for said county of —— for the term beginning —— shall faithfully perform all the duties of said office, and shall discharge and satisfy all the liabilities for which he is by law officially answerable, this obligation shall be void. In the bonds of sheriffs, registers of deeds and registers of probate, after the word "answerable" there shall be inserted the words including his liability for the official conduct, neglects and misdoings of his deputies.

Title amended.

SECT. 2. Amend the title of chapter 212 of the Public Statutes by striking out the word "coroners" and inserting in place thereof the words: medical referee; so that said title, as amended, shall read as follows: Sheriffs, medical referees and constables. Amend sections 4, 6 and 16 of said chapter 212 by striking out the word "coroner" wherever it appears in said sections and inserting in place thereof the words medical referee, so that said sections, as amended, shall read as follows:—SECT. 4. When the sheriff is a party, or related to either party, or interested in the suit, the writ shall be directed to and served by a medical referee; and on the trial of the suit the medical referee shall return talesmen and attend the jury, and shall have the powers and be subject to the liabilities, in relation thereto, of the sheriff in like cases. SECT. 6. No sheriff, deputy sheriff, medical referee or constable is disquali-

If sheriff party, medical referee to serve writ.

fied to serve a writ or other precept in which a town or other corporation is a party by reason of his being a citizen of the town or a member of the corporation. SECT. 16. Any sheriff, deputy sheriff, medical referee or constable who refuses or neglects, on demand, to pay to an execution creditor any money received by him on the execution for the creditor, shall pay five times the lawful interest thereon for the time he detains it after demand.

Not disqualified where town a party.

Penalty for neglect.

SECT. 3. Amend section 13 of chapter 287 of the Public Statutes by striking out the word "coroners" in the fourth line thereof and inserting in place thereof the words medical referees; so that said section, as amended, shall read as follows:—[SECT. 13.] The fees of witnesses shall be, for each day's attendance at the supreme and probate courts, and before auditors and referees, one dollar and twenty-five cents; for each day's attendance before justices, police courts, and medical referees, sixty-five cents; for each mile's travel to and from the place of testifying, six cents. Amend section 19 of said chapter 287 by striking out the word "coroners" in the first line thereof, and inserting in place thereof the words medical referee; so that said section, as amended, shall read as follows: SECT. 19. Medical referees and constables shall be entitled to the same fees as sheriffs in like cases.

Fees of witnesses.

Fees of medical referees and constables.

SECT. 4. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 53.

AN ACT TO AMEND SECTION 7 OF CHAPTER 32 OF THE PUBLIC STATUTES RELATING TO SUPERVISORS OF THE CHECK-LIST, AND THE CHECK-LIST.

SECTION		SECTION	
1.	Corrected check-list to contain names of legal voters; examinations for illiteracy, how conducted.	2.	Takes effect May 1, 1905.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 7 of chapter 32 of the Public Statutes by striking out all of section 7 and inserting in its place the following: SECT. 7. The supervisors shall hear all applications for a correction of the check-list, and the evidence submitted thereon and shall correct it according to their best knowledge, so that it shall contain the names of those persons only who are legal voters in the town. They may administer

Corrected check-list to contain names of legal voters; examinations for illiteracy.

oaths to persons who appear to testify before them. The qualifications of an applicant shall be determined by the supervisors, who shall examine him under oath relative thereto, and shall, unless he is prevented by physical disability, or unless he had the right to vote, or was sixty years of age or upwards, on the first day of January in the year nineteen hundred and four, require him to write and to read in such manner as to show that he is not being assisted in so doing and is not reciting from memory. Supervisors shall be provided by the secretary of state with a copy of the constitution of the state printed on uniform pasteboard slips, each containing five lines of the constitution, printed in double small pica type and suitable writing books in which to write. The supervisors shall place said slips in a box provided by the secretary of state, which shall be so constructed as to conceal them from view. Each applicant shall be required to draw one of said slips from the box and read aloud the five lines printed thereon and to write one line printed on said slip and sign his name thereto, in full view and hearing of the supervisors. Each slip shall be returned to the box immediately after the test is finished, and the contents of the box shall be shaken up by a supervisor before another drawing is made. No person failing to read the constitution as printed on the slip thus drawn, and to write as aforesaid, shall be registered as a voter. The supervisors shall keep said slips in said box at all times. The secretary of state shall upon request provide new slips and writing books to replace those used up, worn out, or lost.

Takes effect May 1, 1905.

SECT. 2. This act shall take effect and be in force on and after the first day of May next.

[Approved March 9, 1905.]

CHAPTER 54.

AN ACT TO AMEND SECTION 11 OF CHAPTER 141 OF THE PUBLIC STATUTES RELATING TO THE LIEN UPON BRICK.

SECTION
1. Lien of brickmakers, etc.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Lien of brickmakers, etc.

SECTION 1. Amend section 11 of chapter 141 of the Public Statutes by striking out said section, and inserting in lieu thereof the following:—SECT. 11. If a person shall perform labor or furnish materials or fuel to the amount of fifteen dollars or more for the making of brick, by virtue of a contract with the owner thereof, he shall have a lien upon said materials

and fuel and upon the brick with the kiln containing said brick, for such labor, materials or fuel. Said lien shall continue for ninety days after said brick are burned, and may be secured by attachment as provided in section 17 of chapter 141 of the Public Statutes.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 55.

AN ACT IN AMENDMENT OF SECTION 15 OF CHAPTER 162 OF THE PUBLIC STATUTES, RELATING TO THE APPOINTMENT OF AN ASSIGNEE OF A BANK.

SECTION 1. Receiver for bank, how appointed.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 15 of chapter 162 of the Public Statutes be amended by striking out the word, "supreme" in the first line of said section, and inserting in place thereof the word superior and by striking out the word "assignee" in the second and fourth lines of said section, and inserting in place thereof the word receiver, so that said section as amended shall read, as follows—SECT. 15. In either of such cases they may apply to the superior court or a justice thereof to appoint a receiver of the property and effects of the institution. The court or justice may appoint a receiver and prescribe orders and rules by which he shall be governed. Receiver for bank, how appointed.

[Approved March 9, 1905.]

CHAPTER 56.

AN ACT PROHIBITING TREASURERS OF SAVINGS BANKS AND SAVINGS DEPARTMENTS OF BANKING AND TRUST COMPANIES, FROM RETAINING CUSTODY OF INDIVIDUAL DEPOSIT BOOKS OF THEIR DEPOSITORS.

SECTION
1. Retention of book for more than ten days illegal.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. It shall be unlawful for the treasurer of any savings bank, trust company, loan and trust company, loan and banking company, and other similar corporations receiv- Retention for more than ten days illegal.

ing savings deposits or transacting the business of a savings bank, to retain in his custody for more than ten days at a time, any savings-bank book belonging to a depositor of said company or corporation except when held by the bank as collateral security.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 57.

AN ACT IN AMENDMENT OF SECTION 4 OF CHAPTER 246 OF THE PUBLIC STATUTES, RELATING TO ACTIONS AGAINST TENANTS.

SECTION
1. Demand of rent of lessee, how to be made.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Demand of rent of lessee, how to be made.

SECTION 1. Amend section 4 of chapter 246 of the Public Statutes by adding to said section at the end thereof the following: Where, to constitute a forfeiture for a violation of the condition of a written lease a demand of rent is required, such demand may be made in writing of the lessee in person, wherever he may be found, or by leaving said demand at the usual place of abode of the lessee. And such demand may be made when the rent is due or while it is in arrears, but the lessor shall not demand a greater sum than the whole rent in arrears when demand is made. No forfeiture shall be incurred for non-payment of rent if the lessee before the expiration of the notice shall pay or tender to the lessor all rent in arrears, together with the sum of five dollars as damages and costs occasioned by his default.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 58.

AN ACT TO AMEND CHAPTER 94 OF THE PUBLIC STATUTES RELATING TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

SECTION
1. Traveling expenses allowed.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend chapter 94 of the Public Statutes by adding the following section: SECT. 11. The traveling expenses necessarily incurred by the superintendent of public instruction in the performance of the regular duties of his office shall be paid as audited and allowed by the governor and council, not to exceed one hundred and fifty dollars ($150) in any one year. Traveling expenses allowed.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 59.

AN ACT TO AMEND SECTIONS 3 AND 4 OF CHAPTER 92 OF THE PUBLIC STATUTES, RELATING TO SCHOOL BOARD, TEACHERS, AND TRUANT OFFICERS.

SECTION
1. Dismissal of teachers by school board; district liable for salary of teacher wrongfully dismissed.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Sections 3 and 4 of chapter 92 of the Public Statutes are hereby repealed and the following inserted in their place. SECT. 3. They may dismiss any teacher found by them to be immoral or incompetent or who shall not conform to the regulations prescribed; *provided, however*, that no teacher shall be so dismissed before the expiration of the period for which said teacher was engaged without having previously been notified of the cause of such dismissal, and *provided, further*, that no teacher shall be so dismissed without having previously been granted a full and fair hearing. SECT. 4. The district shall be liable in the action of contract to any Dismissal of teachers by school board; district liable for salary of teacher wrongfully dismissed.

teacher dismissed in violation of the provisions of the preceding section to the extent of the full salary for the period for which such teacher was engaged.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 60.

AN ACT AMENDING CHAPTER 134 OF THE SESSION LAWS OF 1903, ENTITLED "AN ACT ESTABLISHING THE OFFICE OF MEDICAL REFEREE AND AMENDING CHAPTER 262 OF THE PUBLIC STATUTES RELATING TO CORONER'S INQUEST."

SECTION
1. Number of medical referees for each county.
2. Examinations, when made and how conducted.
3. Inquests, when held and how conducted.
4. Prosecuting officers not concluded by report of natural death.
5. Accounts of referees to be audited; fees of referees.
6. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Number for each county.

SECTION 1. Amend section 2 of chapter 134 of the Laws of 1903 by striking out all of the same after the word "each" in the fifth line thereof, and inserting in place thereof the following:—and whenever, from ill health or other cause, such referee cannot be obtained within a reasonable time, the county solicitor may appoint a competent physician to act on the particular case, who shall be sworn to the faithful performance of his duty in accordance with the provisions of this chapter; so that said section, as amended, shall read as follows:—SECT. 2. The number of medical referees, appointed as provided in the preceding section, shall be as follows: For the counties of Merrimack, Cheshire, Sullivan, Belknap, Carroll and Strafford, one each. For Rockingham and Coös, two each, and for Grafton, and Hillsborough, three each, and whenever, from ill health or other cause, such referee cannot be obtained within a reasonable time, the county solicitor may appoint a competent physician to act on the particular case, who shall be sworn to the faithful performance of his duty in accordance with the provisions of this chapter.

Examinations, when made and how conducted.

SECT. 2. Strike out all of section 5 of said chapter and insert in place thereof the following:—SECT. 5. It shall be the duty of anyone finding the body of any person who is supposed to have come to his death by violence or unlawful act to immediately notify the medical referee and the county solicitor

for the county wherein the body is found. When the medical referee has notice that there has been found or is lying within his county, the body of a person who is supposed to have come to his or her death by violence or unlawful act, he shall forthwith repair to the place where such body lies and take charge of the same and before said body is removed he shall reduce or cause to be reduced to writing a description of the location and position of the body and any and all facts connected with said body and its surroundings that may be important in determining the cause of death, and if on view thereof and personal inquiry into the cause and manner of death he deems a further examination necessary, he shall at once notify the county solicitor of such county, and upon being authorized or directed by said solicitor he shall make an autopsy in the presence of a physician and one other discreet person. He may compel the assistance of such persons and witnesses by subpoena, if necessary, and he shall then and there at the time of said autopsy reduce or cause to be reduced to writing every fact and circumstance disclosed by such autopsy tending to show the manner and cause of death, which report shall be signed by himself and the witnesses whom he has summoned, who shall, in addition to their names, subscribe their address and place of residence.

Inquests, when held and how conducted.

SECT. 3. Amend section 7 of said chapter by striking out all of said section after the words "criminally implicated" in the third line thereof and inserting in place thereof the following:—may, when deemed necessary, authorize the medical referee to take an inquest upon the view of the dead body of a person whose death is supposed to have been occasioned unlawfully, and said medical referee shall thereupon summon to appear before him such witnesses as the attorney-general or county solicitor may direct, who shall be examined under oath by said attorney-general or county solicitor. The testimony of each witness shall be reduced to writing, either by the medical referee or by a stenographer or other competent person appointed by him, and shall be signed by the witness and sworn to. The medical referee who shall preside at such inquest shall report in writing his conclusions, when, where, and by what means the person came to his death, to the superior court of the county, and furnish a copy to the attorney-general and county solicitor, and, if it appears to him that it was a case of homicide, he shall state the name of the person who contributed to such death, if known to him. The attorney-general and county solicitor shall then proceed to execute the laws of the state governing the office which they hold, and may direct the holding of witnesses as they shall deem necessary; so that said section, as amended, shall read as follows:—

SECT. 7. The attorney-general or county solicitor on receiv-

ing the report of the medical referee and finding some person or persons are probably implicated, may, when deemed necessary, authorize the medical referee to take an inquest upon the view of the dead body of a person whose death is supposed to have been occasioned unlawfully, and said medical referee shall thereupon summon to appear before him such witnesses as the attorney-general or county solicitor may direct, who shall be examined under oath by said attorney-general or county solicitor. The testimony of each witness shall be reduced to writing, either by the medical referee or by a stenographer appointed by him, and shall be signed by the witness and sworn to. The medical referee who shall preside at such inquest shall report in writing his conclusions, when, where, and by what means the person came to his death, to the superior court of the county, and furnish a copy to the attorney-general or county solicitor, and, if it appears to him that it was a case of homicide, he shall state the name of the person who contributed to such death, if known to him. The attorney-general and county solicitor shall then proceed to execute the laws of the state governing the office which they hold, and may direct the holding of witnesses as they shall deem necessary.

Report of natural death not conclusive.

SECT. 4. Amend section 8 of said chapter by striking out the words "state's attorney" in the second line of said section and inserting in place thereof the following words: attorney-general; so that said section, as amended, shall read as follows:—SECT. 8. If a medical referee reports that a death was not caused by violence, or unlawful act and the attorney-general or county solicitor is of a contrary opinion, nothing in this act shall be construed to prevent either of these officers directing an inquest in accordance with this act.

Accounts of referees to be audited; fees.

SECT. 5. Strike out all of section 12 of said chapter, and insert in place thereof the following:—SECT. 12. Every medical referee shall render an account of the expenses of each case, including his fees, to the county solicitor, who shall audit and approve the same before it is paid by the county treasurer, and the fees allowed the medical referee shall not exceed the following, viz: for a view and inquiry without an autopsy, five dollars; for a view and autopsy, twenty-five dollars; for an inquest, ten dollars per day for the time actually spent in holding such inquest; and for all necessary travel at the rate of six cents a mile. Witnesses summoned to testify at such inquest shall be allowed the same fees now allowed in justice courts.

Repealing clause; act takes effect on passage.

SECT. 6. All acts and parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 61.

AN ACT AUTHORIZING CORPORATIONS TO INCLUDE ITS FRANCHISES IN ANY MORTGAGES THAT THE CORPORATION MAY LAWFULLY MAKE.

SECTION
1. Authority granted.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. A corporation which may lawfully mortgage its property may also include its franchises in such mortgage. Authority granted.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 62.

AN ACT IN AID OF AND FOR THE RELIEF OF DEPOSITORIES.

SECTION
1. Claimant of property in suit to be summoned.
2. Court to have custody pending notice.
3. Procedure if claimant appears; bond by plaintiff in certain cases.
4. Party taking judgment to satisfy lien; costs, by whom paid.
5. Procedure if defendant disclaims title.
6. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Whenever in any action, bill in equity, petition, or other process, directed against any person or persons, corporation, warehouse-company, depository, savings bank, or finder, it shall appear that the defendant has no title to or claim against the property, chattel, money, goods or deposit, sought to be recovered by such action, bill, petition or other process, otherwise than by lien, and that some person or persons, other than the plaintiff, does, or may claim the same, or may be entitled thereto, it shall be the duty of the court wherein such proceeding is pending, to summons such other party or parties by *scire facias* if they are known, and if not known, then by publication. Claimant to be summoned.

SECT. 2. Prior to the issuing of such notice, the court shall receive the custody of the property, chattel, money, goods or deposit, and may make such order or orders for the holding of Court has custody pending notice.

the same, pending the determination of the right of the claimant or claimants thereto as justice may require.

Procedure if claimant appears; bond in certain cases.

SECT. 3. After such summons whether personal or by publication any claimant or claimants may appear upon such terms and by giving such security for costs as to the court may seem just, and if no claimant appears, judgment may be given for the plaintiff by default, as in other cases. *Provided, however*, that where notice is given by publication, the plaintiff shall give bond satisfactory to the court, conditioned to appear and defend the title to said property, chattel, money, goods or deposit and to abide by the order of the court therein, if at any time within one year from the date of judgment, any claimant or claimants shall appear and claim the property, after which period of time all other rights shall be barred.

Party taking judgment to satisfy lien; costs, by whom paid.

SECT. 4. The amount of the lien, if any, of the original defendant, shall be determined by the court, and shall be paid by the person in whose favor judgment is rendered, before final judgment shall be granted. The costs of publication shall be borne by the parties in whose favor judgment is rendered: and a lien upon the property in question is given for such charges, services and expenses as are necessary for the keeping of the same, pending litigation.

Procedure if defendant disclaims title.

SECT. 5. If it shall be made to appear, by the plea, answer, disclaimer or deposition of the original defendant filed within the first thirty days of the term at which such action, bill or petition shall be entered or returnable, that such defendant has no title to or claim against such property, chattel, money, goods or deposit, otherwise than by lien, then such defendant shall, upon delivering the subject matter of the suit in accordance with the order of the court, be discharged from further liability, and shall be entitled to costs in such sum as the court may deem just, and thereafter said proceeding shall be deemed a proceeding *in rem*.

Repealing clause; act takes effect on passage.

SECT. 6. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 63.

AN ACT IN AMENDMENT OF CHAPTER 84 OF THE SESSION LAWS OF 1901, ENTITLED "AN ACT IN RELATION TO THE PUBLIC PRINTING."

SECTION
1. Reduction in number of copies of publications authorized; clerical assistance.
SECTION
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Chapter 84 of the session Laws of 1901 is hereby amended by the addition of the following section: SECT. 8. The public printing commission may decrease the number of copies of any state publication to be hereafter issued, from the number now provided for by law, after due notice to the department affected and hearing thereon. Said commission shall be allowed necessary clerical assistance at compensation to be fixed by the governor with advice of the council. Reduction authorized.

SECT. 2. All acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 64.

AN ACT TO ENABLE THE COUNTY OF COÖS TO TAKE A LOT FOR THE ERECTION OF A COURTHOUSE IN BERLIN IN SAID COUNTY, BY EMINENT DOMAIN.

SECTION
1. Authority granted.
2. Acts of county convention ratified and legalized.
SECTION
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That if the county of Coös, through its agents duly authorized by its county delegation to procure a lot and erect a courthouse in Berlin in said county, shall be unable to make satisfactory terms with the owner or owners of such lot for the purchase thereof, said lot may be taken by the exercise of the right of eminent domain by such proceedings as are provided for the laying out of highways to public waters. Authority granted.

Prior action ratified and legalized.

SECT. 2. The action of the Coös county convention in relation to the appointment of a committee to procure a lot and erect said courthouse in said Berlin is hereby ratified and legalized.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 65.

AN ACT TO PREVENT THE PLACING OF EXPLOSIVES ON THE TRACKS OF STREET AND ELECTRIC RAILROADS.

SECTION
1. Placing explosive on railway track, how punished.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Placing explosive on railway track, how punished.

SECTION 1. Any person, except an employé in the regular discharge of his duty, who shall place explosive torpedoes, or other thing of an explosive nature, on the rails of any street or electric railroad, shall be punished by a fine of not less than five nor more than ten dollars, or by imprisonment not more than thirty days, or by both such fine and imprisonment.

Takes effect on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 9, 1905.]

CHAPTER 66.

AN ACT RELATING TO THE EMERGENCY RIGHTS OF FIREMEN WHILE PERFORMING THE DUTIES OF THEIR OFFICE.

SECTION 1. Firemen and fire apparatus to have right of way; penalty for obstruction.

Be it enacted by the Senate and House of Representatives in General Court convened:

To have right of way; penalty for obstruction.

SECTION 1. The officers and men of the fire department of any city or town, with the engines and apparatus thereof, shall have the right of way while going to a fire or responding to an alarm through any street, lane or alley in said city or town, subject to such rules and regulations as the city council or selectmen may prescribe. Whoever wilfully and maliciously obstructs or retards the passage of an engine or other appa-

ratus of a fire department, while so going to a fire, shall be punished by a fine of not more than fifty dollars or by imprisonment for not more than three months.

[Approved March 9, 1905.]

CHAPTER 67.

AN ACT IN AMENDMENT OF CHAPTER 58 OF THE LAWS OF 1901, ENTITLED "AN ACT RELATIVE TO SENTENCES TO STATE PRISON."

SECTION
1. Release of convict at expiration of minimum term.
2. Arrest for violation of permit; permits, how revoked; recommittal; notice of release on parole.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Strike out all of section 2 of said chapter following the words "his sentence" in the twelfth line thereof. Strike out the figure "3" in the third section and insert in place thereof the figure 7. Strike out the figure "4" in the fourth section and insert in place thereof the figure 8. Strike out the figure "5" in the fifth section and insert in place thereof the figure 9. Release at expiration of minimum term.

SECT. 2. Insert after section 2 the following sections:

SECT. 3. Any convict released from the state prison on a permit from the governor and council under the provisions of section 2 of this chapter, violating the terms of his permit, may be arrested on the warrant of any magistrate bearing the indorsement of the county solicitor and taken before a justice of the superior court in term time or vacation. Said convict may be remanded to jail to await the determination of the proceedings. Arrest for violation of permit.

SECT. 4. If said justice upon hearing finds that said permit has been violated, the same shall be certified to the governor and council, who shall revoke the permit, and the sheriff upon receiving notice of said revocation shall recommit said convict to the state prison. Permits, how revoked.

SECT. 5. A convict so recommitted shall serve the remainder of his maximum sentence and in computing the period of his confinement the time between his release upon permit and the time of his return to prison shall not be considered as any part of the term of his original sentence. Recommittal.

SECT. 6. Two days at least prior to the release of a convict on parole, it shall be the duty of the warden of the state prison Notice of release on parole.

to notify by mail the county solicitors of the several counties and the police departments of the several cities of such proposed release, the name of the convict, the crime for which he was committed, the terms of his sentence, and condition of his release.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 68.

AN ACT TO AMEND SECTION 1 OF CHAPTER 125 OF THE LAWS OF 1903, ENTITLED "AN ACT TO DEFINE THE DUTIES OF THE STATE TREASURER WITH REFERENCE TO PUBLIC FUNDS."

SECTION
1. Funds to be deposited in approved banks; interest to remain in state treasury.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Funds to be deposited in approved banks; interest to remain in state treasury.

SECTION 1. Amend section 1 of chapter 125 of the Laws of 1903 by striking out all of that part of said section which follows the words "daily balances" in the eleventh line of said section and inserting in place thereof the following, all interest received on such deposits shall be paid into the treasury of the state, and all interest so received, which is now in said treasury and not distributed to the towns and cities of the state, shall remain in said treasury for the use of the state, so that said section as amended shall read as follows: SECTION 1. The treasurer may deposit any portion of the public moneys, in his possession, in such national banks within the state, or the state of Massachusetts, or any such trust company, incorporated under the laws of, or doing business within, the state, or the state of Massachusetts, as shall be approved, at least once in six (6) months, by the governor and council, but the amount deposited in any one bank or trust company shall not at any one time exceed forty per cent. of its paid-up capital and surplus. Other things being equal, those banks or trust companies shall receive preference which shall allow interest on daily balances. All interest received on such deposits shall be paid into the treasury of the state, and all interest so received, which is now in said treasury and not distributed to the towns and cities of the state, shall remain in said treasury for the use of the state.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 69.

AN ACT IN RELATION TO THE PINKHAM NOTCH ROAD.

SECTION
1. Closing of highway in winter authorized.
2. Appeal to superior court.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The selectmen of the town of Jackson and the county commissioners of the county of Coös, whenever by their joint action they shall deem it expedient, are hereby authorized and empowered to close the Pinkham Notch road, so called, situated in Martin's Location, Green's grant, Pinkham's grant and the town of Jackson, or so much thereof as they shall deem necessary, during such part of the winter season as said road shall be covered by deep snows. Closing of highway authorized.

SECT. 2. Any person, persons or corporation aggrieved by such action shall have the right of appeal from such decision to the superior court. Right of appeal.

SECT. 3. This act shall take effect on its passage. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 70.

AN ACT IN AMENDMENT OF CHAPTER 147 OF THE PUBLIC STATUTES, RELATING TO THE FORMATION OF VOLUNTARY CORPORATIONS.

SECTION
1. Trading-stamp companies not to be formed.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The provisions of chapter 147 of the Public Statutes relating to voluntary corporations shall not be held to authorize the formation of what is known as a trading-stamp corporation, or of companies engaged in the business of issuing, selling or redeeming trading stamps, coupons, tickets or other similar devices. Trading-stamp companies not to be formed.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 71.

AN ACT IN AMENDMENT OF CHAPTER 46 SESSION LAWS OF 1899 REGULATING THE FISHING IN THE WATERS OF SUNAPEE LAKE.

SECTION
1. Not more than two lines to be used.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Not more than two lines to be used.

SECTION 1. Strike out the whole of section 1 of said chapter and substitute therefor the following: SECTION 1. It shall not be lawful for any person to use or have in use, in fishing from the waters of Sunapee lake, more than two lines, under a penalty of ten dollars for each line, in excess of said number, so used.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 72.

AN ACT FOR THE MAINTENANCE OF HIGH SCHOOLS.

SECTION
1. Established high schools to be maintained.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Established high schools to be maintained.

SECTION 1. It shall be the duty of any town in which there is a high school established by vote of the town, to raise and appropriate each year sufficient money, to properly maintain such school.

Takes effect on passage.

SECT. 2. This bill [act] shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 73.

AN ACT TO PROHIBIT THE DEPOSIT OF SAWDUST AND OTHER SAWMILL REFUSE, AND OTHER WASTE, IN SWIFT RIVER AND ITS TRIBUTARIES, IN THE TOWN OF TAMWORTH.

SECTION
1. Deposit of sawdust, etc., how punished.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Any person who shall deposit, dump, place, or cause to be deposited, dumped, or placed any sawdust or other sawmill refuse, rubbish or other waste, in Swift river and its tributaries, in the town of Tamworth, shall be fined not less than ten dollars nor more than fifty dollars. Deposit of sawdust, etc., how punished

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 74.

AN ACT TO PROTECT MINK BROOK FROM POLLUTION BY SAWDUST AND OTHER WASTE.

SECTION
1. Deposit of sawdust, etc., prohibited.
2. Penalty for violation.
SECTION
3. Takes effect June 1, 1905.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. No person or corporation shall put or place, or cause or allow to be put or placed any sawdust, shavings, edgings, chips, bark or other waste from woodwork establishments, into Mink brook in the town of Hanover. Deposit prohibited.

SECT. 2. Any person or corporation violating the provisions of this act shall be punished by a fine not exceeding ten dollars for each offense, and every day that they violate the same shall be deemed a separate offense. Penalty.

SECT. 3. This act shall take effect June 1st 1905. Takes effect June 1, 1905.

[Approved March 9, 1905.]

CHAPTER 75.

AN ACT IN AMENDMENT OF CLAUSE 18 SECTION 1, CHAPTER 114 OF THE LAWS OF 1901 RELATING TO THE INVESTMENTS OF SAVINGS BANKS.

SECTION 1. Investment of savings-bank funds in railroad securities.

Be it enacted by the Senate and House of Representatives in General Court convened:

Investments in railroad securities.

SECTION 1. Clause 18 of section 1 of chapter 114 of the Laws of 1901 entitled "An act to regulate and limit the investments of savings banks" is amended by striking out the words "in the New England states," so that when amended the clause shall read (18) In the stock of any railroad corporation, exclusive of street railways, located in any part of the United States or territories, that has earned and paid regular dividends of not less than four per cent. per annum on its capital stock for five years next preceding such investment; *provided*, such capital stock on which it pays dividends equals in amount one third of the entire bonded indebtedness of said corporation; or in the stock of any other railroad corporation whose railroad and railroad property are leased to such railroad upon an annual rental of not less than four per cent. per annum upon the capital stock of the leased railroad; *provided*, said leased railroad shall have earned dividends of not less than three per cent. upon its capital stock for a period of three years immediately preceding said lease; but not exceeding twenty-five per cent. of the deposits shall be so invested.

[Approved March 9, 1905.]

CHAPTER 76.

AN ACT IN AMENDMENT OF CHAPTER 124 OF THE PUBLIC STATUTES RELATING TO DEALERS IN OLD METALS.

SECTION 1. Dealers in junk, etc., how licensed.

Be it enacted by the Senate and House of Representatives in General Court convened:

Dealers, how licensed.

SECTION 1. That section 1 of chapter 124 of the Public Statutes be and hereby is amended as follows:—By striking out said section and inserting in place thereof the following:—SECTION 1. The mayor and aldermen of a city, or the selectmen of a town, may license persons, deemed by them to be suitable, to be dealers in, and keepers of shops for the purchase and sale or barter of, old junk, old metals, old or second hand

bottles, second hand articles, cotton or woolen mill waste, unfinished cloth, and cotton or woolen mill yarns in an unfinished state, not of family manufacture, within their respective cities or towns, and may determine and designate the place where the business is to be carried on under a license.

[Approved March 9, 1905.]

CHAPTER 77.

AN ACT IN RELATION TO THE TRIAL OF CAUSES IN ROCKINGHAM COUNTY.

SECTION
1. Trials at Derry on request of parties.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Whenever the parties to an action pending in the superior court of said county, so request, said action shall be tried in Derry in said county. The town of Derry to furnish a suitable place for holding said court without expense to the county. Trials at Derry.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 78.

AN ACT IN RELATION TO THE SERVICES AND EXPENSES OF STATE OFFICERS AND EMPLOYES.

SECTION 1. Bills to be certified under oath; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. No bill of a state officer or employé for services or expenses, except salaries provided by statute, shall be approved by the governor and council or paid by the state treasurer unless it is accompanied by a certificate under oath of said officer or employé that the service has been actually performed and the expenses actually incurred. In case of the death of a state officer or employé prior to the filing of his account it may be paid by the state treasurer if the governor and council are satisfied that the service was performed and the expenses incurred. This act shall take effect upon its passage. Bills to be certified under oath. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 79.

AN ACT TO REPEAL SECTION 1, CHAPTER 93, LAWS OF 1903, RELATING TO THE NOTICES OF INTENTION OF MARRIAGE.

SECTION
1. Prior act repealed.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Prior act repealed.

SECTION 1. That section 1, chapter 93, Laws of 1903 be and is hereby repealed.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 80.

AN ACT TO CHANGE THE NAME OF "SHAW'S POND," IN THE TOWNS OF PITTSFIELD AND BARNSTEAD, TO THAT OF LILY LAKE.

SECTION
1. Name changed.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name changed.

SECTION 1. That the name of "Shaw's pond" situate in the towns of Pittsfield and Barnstead be and hereby is changed to Lily lake.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 81.

AN ACT IN AMENDMENT OF CHAPTER 114 OF THE LAWS OF 1901 ENTITLED "AN ACT TO REGULATE AND LIMIT THE INVESTMENTS OF SAVINGS BANKS."

SECTION
1. Investment of savings-bank funds in municipal bonds.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Investments in municipal bonds.

SECTION 1. That section 1 of chapter 114 of the Laws of 1901 be and the same is hereby amended by striking out of paragraph (9) thereof the following words and figures therein: "And *provided, further*, that the bonds of any such county,

city, town, school district, or other municipal corporation, of any state or territory, except in the states named in paragraph 8 of section 1 of this act, which does not have a constitutional provision limiting the indebtedness of counties, cities, towns, school districts, or other municipal corporations therein shall shall not be legal investments;" so that said paragraph (9) as amended shall read as follows: (9) In the authorized bonds of any county, city, town, school district, or other municipal corporation of any other of the United States or territories whose net indebtedness at the time of such investment does not exceed five per cent. of the last preceding valuation of the property therein for taxation; and in the authorized bonds of any city of one hundred thousand inhabitants of any of said states whose net indebtedness does not exceed seven per cent. of the last preceding valuation of the property therein for taxation. The term "net indebtedness" shall be construed to denote the indebtedness of any city, town, or other municipal corporation, omitting the debt created for supplying the inhabitants with water and deducting the amount of any sinking fund available for the payment of the municipal indebtedness. *Provided, however*, that such bonds shall not have been issued in aid of railroads or for special assessment purposes. *Provided, also*, that the bonds of any county, city, or town of less than ten thousand inhabitants, or of any school district or other municipal corporation of less than two thousand inhabitants, in any state or territory other than those named in paragraph 8 of section 1 of this act, shall not be authorized investments. *Provided, further*, that such bonds are issued by municipalities that are permitted by law to levy taxes sufficient to pay the interest and to provide sinking funds for their debt; otherwise, such bonds shall not be authorized investments. But not exceeding fifty per cent. of the deposits shall be so invested.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 82.

AN ACT TO AMEND CHAPTER 16 OF THE PUBLIC STATUTES, ENTITLED "THE STATE TREASURER AND AUDITING COMMITTEE."

SECTION
1. Loans to state, when and how effected.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Strike out all of section 6 and insert in place thereof the following: SECT. 6. If money due from the state Loans, when and how effected.

is demanded, and there are no sufficient funds in the treasury available for the payment of the same, the treasurer, under the direction of the governor and council, is hereby authorized to borrow, on the state's credit, for a period of not more than five years, at the lowest rate of interest obtainable, not exceeding six per cent. per annum, such sums as may be necessary; but the entire indebtedness incurred under this authority shall not exceed the sum of three hundred thousand dollars per annum.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 83.

AN ACT RELATING TO TRADING-STAMP COMPANIES, TRADING STAMPS AND OTHER SIMILAR DEVICES.

SECTION

1. Foreign companies to procure licenses.
2. Application for license, to contain what.
3. Licenses, when issued; expiration and revocation; license fees.
4. Transaction of business without license, how punished.
5. Domestic companies, etc., to procure licenses; application to contain what; issue of licenses; expiration and revocation; license fees.
6. Coupons to have value printed thereon.
7. Distributor liable if company fails to redeem coupons.
8. Penalty for violations.
9. Excise tax of three per cent. to be paid by distributor.

SECTION

10. Return for purpose of such taxation, how and when made.
11. Failure to make such return, how punished.
12. Excise tax of ten per cent. to be paid by company.
13. Return for purpose of such taxation, how and when made.
14. Failure to make such return, how punished.
15. Neglect to make return and pay tax revokes license.
16. Issuance of illegal coupons, how punished.
17. Service on foreign companies, how made; bond of foreign companies.
18. Takes effect June 1, 1905.

Be it enacted by the Senate and House of Representatives in General Court convened:

Foreign companies to procure licenses.

SECTION 1. No corporation engaged in the business of selling, issuing, exchanging or redeeming stamps, known as trading stamps, checks, coupons or other similar devices, not organized under the laws of this state, shall do business within this state, unless it has obtained a license authorizing it so to do, as herein provided.

Application for license, to contain what.

SECT. 2. Application for such license shall be made to the governor and council, and with the application the corporation applying for a license shall file a certified copy of its charter and by-laws and a full statement under the oath of its president and secretary, showing the amount of its capital stock,

the number of shares and their par value, its assets, liabilities and surplus, and the dividends paid or declared in each year since its organization. It shall also file a complete list of the articles kept or furnished by it that are customarily given or offered in exchange for trading stamps, checks, coupons or other similar devices, issued or sold by it to associations, corporations or individuals, showing the cost price of every such article, and the price placed upon every such article when given, offered or taken in exchange for such trading stamps, checks, coupons or other similar devices, and also the gross and net profit upon every such article so given or offered, or taken in exchange for such trading stamps, checks, coupons or other similar devices. It shall also, at the hearing upon the application for a license, furnish to the governor and council, through its authorized representatives, complete evidence, under oath, as to its methods of doing business, including the prices at which its stamps are sold or furnished to associations, corporations or individuals, and the advertised or alleged value of such stamps when given, or offered by such associations, corporations or individuals engaged in trade, in connection with the sale of articles, entitling the holders to receive articles other than the articles so sold, and any other information that the governor and council may desire, to enable them to determine whether the business of such corporation is legitimate, and does not involve any element of fraud, deception or imposition upon individuals or the general public.

Issue of licenses; expiration and revocation; fees.

SECT. 3. If the foregoing provisions are complied with and the governor and council are satisfied that such corporation applying for a license is a safe and reliable company, and entitled to public confidence, and that its business methods are trustworthy and involve no element of fraud, deception or imposition upon individuals or the general public, they may grant to such corporation a license to do business by its authorized agents within this state, subject to the laws of the state, until the first day of July thereafter, and annually thereafter, upon the first day of July, such license may be renewed, so long as such corporation shall comply with the law and the governor and council regard it as safe and reliable and entitled to confidence, and that its business, or its business methods, are not detrimental to the general mercantile, commercial and business interests of the state. Such license may be revoked at any time by the governor and council, upon reasonable notice to such corporation, or its authorized agents, when the governor and council are satisfied that its methods of doing business are not such as entitle it to public confidence, or involve an element of fraud, deception or imposition upon the public or individuals. Every such corporation shall pay to the state treasurer a license fee of not less than two hundred fifty

dollars nor more than one thousand dollars, to be determined by the governor and council.

Transaction of business without license, how punished.

SECT. 4. Any officer or agent of any such foreign corporation which shall undertake to do business within this state, such corporation not having complied with the provisions of this act, shall be subject to a fine not exceeding five hundred dollars, or to imprisonment not exceeding six months, or both. And any individual, firm or corporation that offers or delivers trading stamps, checks, coupons or other similar devices of such foreign corporation, in connection with the sale of goods, wares or merchandise, shall, for the purposes of this act, be deemed the agent of such corporation.

Domestic companies to be licensed; application to contain what; issue of licenses; expiration and revocation; fees.

SECT. 5. No individual, firm or corporation organized under the laws of this state shall engage in the business of selling, issuing, exchanging or redeeming stamps, known as trading stamps, checks, coupons or other similar devices, unless such individual, firm or corporation has obtained a license authorizing him, or it, to do so, as herein provided. Application for such license shall be made to the governor and council and, if by a corporation organized under the laws of this state, there shall be filed with the application a certified copy of its charter and by-laws and a full statement, under the oath of its president and secretary, showing the amount of its capital stock, the number of shares, and their par value, its assets, liabilities and surplus, and the dividends paid, or declared, in each year since its organization. If said application is made by an individual or firm, he, or it, shall file with the application a full statement, under oath, showing the amount of the capital employed by such individual or firm in his, or its, business, also the assets and liabilities of such individual or firm. Every individual, firm or domestic corporation making application for such license shall also file a complete list of the articles kept or furnished by him, or it, that are customarily given or offered in exchange for trading stamps, checks, coupons or other similar devices issued or sold by him, or it, to associations, corporations or individuals, showing the cost price of every such article, and the price placed upon every such article when given, offered or taken in exchange for such trading stamps, checks, coupons or other similar devices, also the gross and net profits upon every such article so given or offered or taken in exchange for such trading stamps, checks, coupons or other similar devices. He, or it, shall also, at the hearing upon the application for a license, furnish to the governor and council complete evidence, under oath, as to his, or its, method of doing business, including the prices at which his, or its, stamps are sold or furnished to associations, corporations or individuals, and the advertised or alleged value of such stamps when given or offered by such associations, corporations or individuals engaged in trade in connection with the sale of

articles entitling the holders to receive articles other than the articles so sold, and any other information that the governor and council may desire to enable them to determine whether the business of such individuals, firms or corporations, is legitimate and does not involve any element of fraud, deception or imposition upon individuals or the general public.

If the foregoing provisions are complied with and the governor and council are satisfied that such individual, firm or corporation, applying for a license, is reliable and entitled to public confidence, and that his, or its, business methods are trustworthy and involve no element of fraud, deception or imposition upon individuals or the general public, they may grant such individual, firm or corporation a license to do business within this state, subject to the laws of the state, until the first day of July thereafter, and annually thereafter, upon the first day of July, such license may be renewed, so long as such individual, firm or corporation, shall comply with the law and the governor and council regard him, or it, as entitled to confidence, and that his, or its, business or business methods, are not detrimental to the general mercantile, commercial and business interests of the state. Such license may be revoked at any time by the governor and council, upon reasonable notice to such individual, firm or corporation, or its authorized agents, when the governor and council are satisfied that his, or its, methods of doing business are not such as entitle him, or it, to public confidence or involve an element of fraud, deception or imposition upon the public or individuals. Every such individual, firm or corporation shall pay to the state treasurer a license fee of not less than two hundred fifty dollars nor more than one thousand dollars, to be determined by the governor and council.

Coupons to have value printed thereon.

SECT. 6. All trading stamps, checks, coupons or other similar devices, sold or delivered to any person, firm or corporation, to be sold, given or delivered in connection with the sale of articles, entitling the holders to receive articles other than the articles so sold, shall have legibly, plainly, clearly and distinctly printed across the middle of the face thereof, in letters or figures not less than one sixteenth of an inch in length, the alleged or advertised value of the same, or the value of the personal property for which they may be exchanged or redeemed, and said value shall not be less than one cent. Every person, firm or corporation who shall sell or issue any such trading stamps, checks, coupons or other similar devices, to any association, corporation or individual engaged in any trade or business, with the promise or assurance, express or implied, that they, it or he, will give or deliver to any person presenting said trading stamps, checks, coupons or other similar devices, money or goods, wares or merchandise therefor, shall redeem said trading stamps checks, cou-

pons or other similar devices at their face value, when presented in lots or numbers aggregating at their face money value not less than five cents, either in cash, good and lawful money of the United States of America, or in goods, wares or merchandise, at the option of the holder. In case such holder elects to receive goods, wares or merchandise, the same may be selected by him.

Distributor liable if company fails to redeem.

SECT. 7. Any association, corporation or individual engaged in any trade or business, who shall distribute, deliver or present to any person dealing with it, or him, any stamp known as a trading stamp, check, coupon or other similar device issued by or procured from any association, corporation or individual dealing in the same, as mentioned in the preceding section, in consideration of any article or thing purchased, shall, upon the failure of said association, corporation or individual named in the preceding section, to redeem said trading stamps, checks, coupons, or other similar devices, in the manner prescribed in said section, be liable to the holder of any of said stamps to their alleged, advertised, stipulated or face value, when presented in lots or numbers aggregating at their face money value not less than five cents, and shall redeem the same in goods, wares and merchandise, or in lawful money of the United States, at the option of the holder thereof, at the value in lawful money printed upon the face thereof; and any association, corporation or individual being the holder of any of said stamps, checks, coupons or other similar devices may recover the advertised, alleged, stipulated or face value thereof from either of the aforesaid associations, corporations or individuals, in an action upon contract.

Penalties.

SECT. 8. Any individual, association or corporation, and the agent, officer or employé of any corporation violating any of the provisions of this act, for which a different penalty is not herein provided, shall be subject to a fine not exceeding two hundred dollars, or imprisonment not exceeding six months, or both.

Taxation of distributor.

SECT. 9. Every person, firm or corporation giving or delivering trading stamps, checks, coupons or other similar devices, in connection with the sale of articles, entitling the holders to receive articles other than the articles so sold, shall pay an excise tax for carrying on such business, equivalent to three per cent. of the gross receipts by such person, firm or corporation from the sale of the articles so sold.

Return, how and when made.

SECT. 10. Every person, firm or corporation carrying on the business specified in the preceding section shall, on the first day of April in each year, make a return in writing, under oath, to the treasurer of the city or town in which such business is carried on, stating the number of trading stamps, checks, coupons or other similar devices, given or delivered in connection with the sale of articles, and the gross receipts from

the sales made in connection with the issuing or giving of such trading stamps, checks, coupons or other similar devices, during the previous year. Thereupon the treasurer of such city or town shall compute the amount of such tax due from such person, firm or corporation, and shall issue his warrant for the collection thereof, to the collector of taxes in such city or town, who shall collect the same for the use of said city or town, in the manner prescribed by the Public Statutes of the state relative to the collection of taxes.

Failure to make return, how punished.

SECT. 11. Whoever omits to make the return required by the preceding section, shall forfeit not less than five dollars, nor more than ten dollars for each day for fifteen days after the day upon which said return is by the preceding section required to be made, and not less than ten nor more than two hundred dollars for each day thereafter during which such omission continues; and whoever, under oath knowingly makes a false statement in such return shall be deemed guilty of perjury.

Taxation of company.

SECT. 12. Every individual, firm or corporation engaged in the business of issuing or selling trading stamps, checks, coupons or other similar devices, to any association, corporation or individual engaged in any trade, business or profession, with the promise or assurance, express or implied, that he, it or they, will give or deliver the same to persons, firms, or corporations in connection with the sale of articles entitling the holders to receive articles other than the articles so sold, shall pay an excise tax for carrying on such business equivalent to ten per cent. of the gross amount received by such person, firm or corporation from the sale of such trading stamps, checks, coupons or other similar devices sold or delivered, in this state, or to persons, firms or corporations within this state.

Return, how and when made.

SECT. 13. Every such person, firm or corporation shall on the first day of April in each year make a return in writing, under oath, to the treasurer of the city or town in which such business is carried on, stating the number of trading stamps, checks, coupons or other similar devices, sold or delivered during the preceding year to persons, firms or corporations engaged in any trade or business, within this state, and intended to be sold or delivered by them, in connection with the sale of goods, wares and merchandise, and the gross receipts from the sales of such stamps, checks, coupons or other similar devices so sold or delivered. Thereupon the treasurer of such city or town shall compute the amount of such tax due from such person, firm or corporation, and shall issue his warrant for the collection thereof to the collector of taxes in such city or town, who shall collect the same for the use of such city or town in the manner prescribed by the Public Statutes of the state, relative to the collection of taxes.

Failure to make return, how punished.

SECT. 14. Whoever omits to make and file the return required by the preceding section, shall forfeit not less than five dollars nor more than ten dollars for each day for fifteen days after the date upon which said return is by the preceding section required to be made, and not less than ten nor more than two hundred dollars for each day thereafter during which such omission continues; and whoever under oath knowingly makes a false statement in such return shall be deemed guilty of perjury.

Neglect to make return and pay tax revokes license.

SECT. 15. Any individual, firm or corporation engaged in the business of selling, vending or delivering trading stamps, checks, coupons or other similar devices, to persons, firms or corporations, which are intended to be sold or given in connection with the sale of goods, wares or merchandise, within this state, being licensed to do business in this state in accordance with the provisions of this act, that shall neglect or refuse to make the return, or to pay the tax required to be paid in accordance with the preceding section of this act, shall be deemed *ipso facto* to have forfeited his, or its, license, and to be no longer authorized or entitled to do business within this state.

Issuance of illegal coupons, how punished.

SECT. 16. Any person, firm or corporation that sells, or issues, any trading stamp, check, coupon or other similar device, or that gives away or delivers any trading stamp, check, coupon or other similar device in connection with the sale of goods, wares or merchandise, that has not the alleged or advertised value thereof printed thereon, as prescribed by section 6 of this act, shall be subject to a fine of five dollars for each offense.

Service on foreign companies; bonds.

SECT. 17. Before a license is granted to a corporation not organized under the laws of this state, it shall file with the state treasurer a written stipulation that legal process affecting the company, served on the state treasurer for the time being, shall have the same effect as if served personally on the company within the state. It shall also deposit with the state treasurer the sum of ten thousand dollars, as security for the payment of any judgments which may be obtained against it, as well as the payment of any taxes that may be assessed against it in any city or town; and the state treasurer is hereby authorized to pay from said sum so deposited any executions issued upon judgments obtained against such company, as well as taxes assessed against such company in any city or town; and upon the renewal of the license issued to such company it shall make good any impairment of said sum of ten thousand dollars so deposited, and keep the same unimpaired so long as it shall continue to do business within this state.

Takes effect June 1, 1905.

SECT. 18. This act shall take effect from and after the first day of June, 1905.

[Approved March 10, 1905.]

CHAPTER 84.

AN ACT TO AMEND CHAPTER 79 OF LAWS OF 1901 IN RELATION TO FISH AND GAME LAWS.

SECTION
1. Protection of deer.
2. Protection of fawn removed.
3. Right to kill deer-chasing dog revoked.
4. Transportation of moose, etc., how punished.
5. Transportation of deer regulated.
6. Exception in favor of scientists.
7. Birds, nests, and eggs taken for scientific purposes.
8. Protection of woodcock, grouse, partridge, quail, and snipe.
9. Repealing clause.
10. Construction of prior act limited.
11. Sections of prior act renumbered.
12. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 16 of chapter 79 of the Laws of 1901 be hereby repealed and the following be substituted: No person shall hunt, catch, kill or destroy any deer within the limits of this state, except during the months of October and November in each year, and then only in the counties of Carroll, Coös and Grafton, and in the towns of Danbury, Hill, Andover, Salisbury, Webster, Warner, Sutton and Wilmot in the county of Merrimack. Protection of deer.

SECT. 2. That section 18 of said chapter 79, be repealed.

SECT. 3. That section 21 of said chapter be repealed. Prior provisions repealed.

SECT. 4. That section 31 of said chapter be amended by striking out the words, "or fawn," so that said section when amended shall read as follows: SECT. 31. No person, corporation, or common carrier shall at any time, within the limits of this state, transport any moose, caribou, elk, under penalty of a fine of fifty dollars ($50), but such person, corporation, or common carrier may show in defense that such animals came in the regular course of business into their possession for transit through the state from some place without the state. Transportation of moose, etc., how punished.

SECT. 5. That section 32 of said chapter 79 be amended by striking out the words, "and accompanied by him," so that said section when amended shall read as follows: SECT. 32. No person, corporation, or common carrier shall transport within this state any deer or any parts thereof, except heads for mounting, unless open to view, tagged, and plainly labeled with the name of the actual owner, under penalty of a fine of fifty dollars ($50). Transportation of deer regulated.

SECT. 6. That section 37 of said chapter 79 be amended by striking out the figures "34, 35, 36, and 38" of said section, and inserting in place thereof the figures 32, 33, 34 and 36, so that said section when amended shall read as follows: SECT. 37. Sections 32, 33, and 34 of this act shall not apply to any person holding a certificate giving the right to take birds and Provisions not to apply to scientists.

their nests and eggs for scientific purposes, as provided for in section 36 of this act.

Birds, etc., taken for scientific purposes.

SECT. 7. That section 38 of said chapter 79 be amended by striking out the figures "37, 38 and 37" of said section, and inserting in place thereof the figures 35. 36 and 35, so that said section when amended shall read as follows: SECT. 38. Certificates may be granted by the fish and game commissioners to any properly accredited person of the age of eighteen years or upward, permitting the holder thereof to collect birds, their nests, or eggs for strictly scientific purposes only. In order to obtain such certificates the applicant for the same must present to the commissioners written testimonial from two well-known scientific men, certifying to the good character and fitness of said applicant to be intrusted with such privilege; and must pay to said commissioners one dollar to defray the necessary expense attending the granting of such certificates; and must file with said commissioners a properly executed bond, in the sum of two hundred dollars ($200), signed by two responsible citizens of the state as sureties. This bond shall be forfeited to the state, and the certificate become void, upon proof that the holder of such a certificate has killed any bird, or taken the nest or eggs of any bird, for other than the purposes named in sections 35 and 36 of this act, who shall be further subject for each offense to the penalties provided therefor in section 35 of this act.

Woodcock, grouse, partridge, quail, and snipe.

SECT. 8. That section 42 of said chapter 79 be amended by striking out the words "fifteenth day of September," and inserting in place thereof the words first day of October, so that said section when amended shall read as follows: SECT. 42. If any person shall, between the fifteenth day of December in any year and the first day of October next following take. kill, or have in possession any woodcock, ruffed grouse, partridge, quail, or Wilson snipe, or shall at any time take, kill, or have in possession any of said birds except for consumption as food within the state, he shall be fined ten dollars ($10) for each bird so taken or destroyed or had in possession, or imprisoned sixty days, or both.

Repealing clause.

SECT. 9. That section 80 of said chapter 79 be amended by striking out the figures "25" in said section and inserting in place thereof the figures 23, so that said section when amended shall read as follows: SECT. 80. This act shall take the place of chapters 130, 131, 132, and 133 of the Public Statutes, and all acts and parts of acts inconsistent with this act are hereby repealed, except that sections 15 to 23 of this act, both inclusive, shall not apply to the Blue Mountain Forest association, and except that existing special statutes relating to fish protection, fishing, and deposits of sawdust in certain specified waters of the state shall not be repealed by this act, but shall be con-

tinued in force according to the tenor and meaning of said statutes.

Prior act limited.

SECT. 10. That nothing in said chapter 79 shall be so construed as to conflict with any act relating to the exportation of birds by non-residents.

Sections renumbered.

SECT. 11. That the several sections of said chapter 79 shall be renumbered, so that the numbers of the sections of said chapter shall consecutively read from 1 to 79 inclusive.

Takes effect on passage.

SECT. 12. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 85.

AN ACT IN RELATION TO AN ACT APPROVED MARCH 1, 1905, ENTITLED "AN ACT TO REQUIRE NON-RESIDENTS TO PROCURE A LICENSE TO HUNT."

SECTION
1. Change in engrossed copy authorized.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Change in engrossed copy authorized.

SECTION 1. The secretary of state is hereby authorized to change the engrossed copy of the above act by inserting a comma after the word "person" in the first line of section 1, and by inserting a comma after the word "months" in the fourth line of said section of said engrossed copy.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 86.

AN ACT TO PROVIDE FOR REGISTERING, NUMBERING AND REGULATING THE SPEED OF AUTOMOBILES AND MOTOR VEHICLES AND FOR LICENSING THE OPERATOR THEREOF.

SECTION
1. Meaning of "automobile" and "motor cycle."
2. Registration by owner or person in control.
3. Registration by manufacturer or dealer.
4. Operators to be licensed.
5. Use of highways prohibited unless machines registered and operators licensed; license of professional operators.
6. Operation of machines owned by non-residents.
7. Brakes, mufflers, horns, and lights.
8. Speed regulations.
9. Management of machines in proximity to horses.
10. Penalties for violations.
11. Fees to be paid into state treasury.
12. Permits for speed or endurance trials.
13. If operator unlicensed, *prima facie* evidence of negligence.
14. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Meaning of "automobile" and "motor cycle."

SECTION 1. The terms automobile and motor cycle as used in this act shall include all vehicles propelled by other than muscular power, except railroad and railway cars and motor vehicles running only upon rails or tracks and road rollers.

Registration by owner, etc.

SECT. 2. All automobiles and motor cycles shall be registered by the owner or person in control thereof in accordance with the provisions of this act. Applications for such registration shall be made, by mail or otherwise, to the secretary of state, upon blanks prepared under his authority. The application shall, in addition to such other particulars as may be required by the secretary of state, contain a statement of the name, place of residence, and address of the applicant, with a brief description of the automobile or motor cycle, including the name of the maker, the number, if any, affixed by the maker, the character of the motive power and the amount of such power stated in figures of horse power, and with such application shall be deposited a registration fee of three dollars. Said secretary of state shall then register in a book to be kept for the purpose, the automobile or motor cycle described in the application, giving to such vehicle a distinguishing number or mark, which in all cases shall be followed by the letters N. H., and shall thereupon issue to the applicant a certificate of registration and shall furnish such applicant with two number plates or tags bearing the distinguishing number or mark of his vehicle, followed by the letters N. H., of such form as to be conveniently attached to the vehicle registered. The certificate shall contain the name, place of residence and address of the applicant, and the registered number or mark, and shall prescribe the manner in which such regis-

tered number or mark shall be displayed upon the vehicle, and shall be in such form and contain such further provisions as the secretary of state may prescribe. The certificate of registration shall always be carried in some easily accessible place in the vehicle described therein. A proper record of all applications and of all certificates issued shall be kept by the secretary of state at his office and shall be open to the inspection of any person during reasonable business hours. Upon the sale of any automobile or motor cycle its registration shall expire and the vendor shall immediately return the certificate of registration and number plates to said secretary of state, with notice of the sale and of the name, place of residence and address of the vendee.

Registration by manufacturer or dealer.

SECT. 3. Every manufacturer of or dealer in automobiles or motor cycles, may, instead of registering each such vehicle owned or controlled by him, make application upon a blank provided by the secretary of state, for a general distinguishing number or mark, and the secretary of state, shall, if the facts stated in said application are true, grant said application and issue to the applicant a certificate of registration containing the name, place of residence and address of the applicant and the general number or mark assigned to him and made in such form and containing such further provisions as said secretary of state may determine, and all automobiles or motor cycles owned or controlled by such manufacturer or dealer shall, until sold or let for hire, or loaned for a period of more than five successive days, be regarded as registered under such general distinguishing mark or number. The fee for every such license shall be ten dollars, and approved number plates or tags shall be furnished to the applicant by said secretary of state for the sum of one dollar per pair.

Operators to be licensed.

SECT. 4. No person shall operate an automobile or motor cycle until he shall have first obtained a license for that purpose. Applications for licenses shall be made upon blanks prepared by the secretary of state, and the licenses issued shall be in such form and contain such provisions as said secretary of state may determine. To each licensee shall be assigned a distinguishing number or mark, and a proper record of all applications for licenses and of all licenses issued shall be kept by the secretary of state at his office and shall be open to the inspection of any person during reasonable business hours. Each license shall state the name, place of residence and address of the licensee, and the distinguishing number or mark assigned to him. Such licenses shall be granted for one year only, and the fee therefor shall be one dollar. All fees shall be deposited at the time of making the application. Special licenses for operating automobiles for hire may be issued by the secretary of state for an annual fee of five dollars each, but no license shall be issued under the provisions of this section

until the secretary of state shall have first satisfied himself that the applicant is a competent and proper person to receive the same. Every licensee when operating a machine shall keep his license with him and exhibit it upon the request of any officer of the law.

Use of highways prohibited unless machines registered and operators licensed; license of professional operators.

SECT. 5. Except as hereinafter provided, no person shall on or after the first day of May in the year nineteen hundred and five, operate an automobile or motor cycle upon any highway laid out under the authority of statute or road dedicated to the public use for a highway, unless the provisions of sections 2 and 4 of this act have been complied with, nor unless the registered number or mark is at all times so displayed at two points upon the vehicle as to be unobstructedly visible, respectively from in front of, and behind said vehicle. Number plates furnished by the secretary of state shall be the only approved form of display of the distinguishing number or mark and the same shall be of uniform style, bearing the number legibly inscribed upon them in figures not less than four inches in height followed by the letters N. H. Motor cycles shall be required to carry but one number plate which must be constantly displayed in the most conspicuous position practicable. No person shall operate an automobile for hire unless specially licensed so to do, and no person shall employ for hire as chauffeur or operator of an automobile, any person not specially licensed as aforesaid, and the secretary of state may make regulations requiring a display of the chauffeur's or operator's number or mark. The provisions of this section shall not prevent the operating of automobiles by unlicensed persons if riding with or accompanied by a licensed chauffeur or operator.

Operation of machines owned by non-residents.

SECT. 6. Automobiles or motor cycles owned by non-residents of this state and registered in some other state, may be operated upon the roads and highways of this state, subject, however, to the speed limitations contained in this act. Any non-resident person holding an operator's or chauffeur's license from another state may operate an automobile or motor cycle in this state subject to a revocation or suspension of such right by the secretary of state for cause as hereinafter provided.

Brakes, mufflers, horns, and lights.

SECT. 7. Every automobile or motor cycle operated within the state shall be provided with an adequate brake, with an efficient muffler or silencing device which shall constantly be maintained in use whenever the vehicle is operated within business districts or the compactly built sections of cities or towns. Every automobile or motor cycle shall further be provided with a suitable bell, horn or other means of signaling and shall during the period from one hour after sunset until one hour before sunrise, display lighted lamps upon the faces of which shall be displayed the distinguishing number of the machine in legible figures of not less than one inch in height.

SECT. 8. No automobile or motor cycle shall be operated upon any public highway outside the business district or the compactly built sections of a city or town at a speed greater than twenty miles an hour, or within the business districts or compactly built sections of a city or town at a speed greater than eight miles an hour. A point upon a road shall be considered to be within the compactly built section of a city or town if the buildings abutting upon the road for one quarter of a mile immediately adjacent to the point in question average one hundred feet apart or less. Upon traversing a crossing of intersecting ways, in going around a corner or curve which cuts off a free view of the road to be traversed, or in traversing a highway bordering a steep descent or passing over a bridge, every person operating such a vehicle shall run it at a rate of speed less than that heretofore specified and at no time and in no place, greater than is reasonable and proper, having regard to traffic, the use of the way, and the safety of the public. In traversing a crossing of intersecting ways or in going around a corner or sharp curve in a road, the operator shall sound his horn or bell. Speed regulations.

SECT. 9. Every person having control or charge of an automobile or motor cycle, shall, whenever upon any public street or way and approaching any vehicle drawn by a horse or horses or approaching any horse upon which any person is riding, operate, manage and control such automobile or motor cycle in such a manner as to exercise every reasonable precaution to prevent the frightening of such horse or horses and to insure the safety and protection of any person riding or driving the same. And, if such horse or horses appear to be frightened, the person in control of such automobile or motor cycle shall reduce its speed, and if requested by the raising of a hand or other signal, by the rider or driver of such horse or horses, shall not proceed further towards such animal and in cases of extreme fright shall upon request reduce the motive power to a full stop. Management of machines in proximity to horses.

SECT. 10. Any person convicted of violating any provisions of this act shall be punished for the first offense by a fine of not exceeding ten dollars and costs. Any person convicted of a second or subsequent offense shall be punished by a fine of not exceeding fifty dollars and the revocation of his license or privilege. Any person convicted of operating an automobile or motor cycle after a revocation or suspension of his license or privilege, shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding thirty days, or by both such fine and imprisonment. A court convicting any person of violating any of the provisions of this act shall at once notify the secretary of state of such conviction, with the number, or mark of the machine and license, and shall transmit other information obtained at the hearing. This shall Penalties for violation.

be recorded by the secretary of state, and if at any time it shall appear that any person has been convicted of a first offense in more than one court in this state the fact of the second conviction shall be deemed a second offense and his license, or, if a non-resident, his privilege, shall be revoked. Upon such revocation his license shall be returned to the secretary of state. The secretary of state shall not again grant a new license, to any person, or renew the privilege of a non-resident, after revocation under the provisions of this section, except for good reasons shown and not before the expiration of three months from the date of such revocation.

Fees to be paid into state treasury.

SECT. 11. It shall be the duty of the secretary of state to perform all acts as provided herein. The fees received under the provisions of this act shall be paid quarterly by the secretary of state into the treasury of the state, and such expenses as may be necessary in carrying out the provisions of this act shall be paid out of the treasury of the state.

Permits for speed or endurancetrials.

SECT. 12. Nothing in this act shall be construed to prevent the selectmen of any town, or the joint boards of the selectmen of two or more adjoining towns, from issuing a special permit to the manager or person in charge of an automobile meet or gathering, for trials of speed or endurance upon a particular highway or over a specified route. But such permit shall be limited to days specified therein. Every family residing on such highway or route shall be notified in writing, and the public shall be notified by publication in the local newspapers issued the week next prior to such meeting, that such permit has been granted. All expenses incurred under this section shall be paid by the applicant and no such permit shall be a protection from the general provisions of this act except upon a strict compliance herewith, and shall in no way annul or modify any of the provisions of section 9 of this act.

If operator unlicensed, *prima facie* evidence of negligence.

SECT. 13. If any person sustains an injury to himself or team on any public highway by reason of the presence of any automobile or motor cycle thereon, the fact of such injury shall be *prima facie* evidence sufficient to sustain an action of case to recover for such injury, unless the vehicle causing such injury is under the control of or accompanied by a person holding a chauffeur's or operator's license. This section shall not apply to any automobile or motor cycle left in any highway from necessity, or otherwise left in a reasonable manner, by a licensed chauffeur or operator.

Takes effect on passage.

SECT. 14. Except as otherwise provided herein this act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 87.

AN ACT FOR THE BETTER PROTECTION OF BROOK AND SPECKLED TROUT IN PARTS OF CARROLL AND COÖS COUNTIES.

SECTION
1. Fishing forbidden in certain waters.
2. Penalty for violation.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. It shall not be lawful to catch or take in any manner brook or speckled trout from any brooks or tributaries emptying into the Ellis or the Wildcat rivers, the east branch and the west branch of the Saco river, or the ponds in Carter's notch, all in the northern part of Carroll and southern part of Coös counties, for the term of six years from the passage of this act. Fishing forbidden in certain waters.

SECT. 2. Any person violating this act shall be fined twenty dollars for each offense, or be imprisoned thirty days, or both. Penalty.

SECT. 3. This act shall take effect on its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 88.

AN ACT TO PROTECT UNION RIVER AND ITS TRIBUTARIES FROM POLLUTION BY SAWDUST AND OTHER WASTE.

SECTION
1. Deposit of sawdust, etc., prohibited; penalty.
2. Takes effect April 15, 1905.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. No person or corporation shall put or place, or cause to be put or placed, any sawdust, shavings, edgings, chips, bark or other waste from sawmills or other wood-work establishments into Union river, so called, or its tributaries, in the towns of Brookfield and Wakefield in Carroll county and the town of Milton in Strafford county. Any person or corporation violating the provisions of this act shall be punished by a fine not exceeding one hundred dollars for each offense. Deposit prohibited; penalty.

SECT. 2. This act shall take effect on April 15th, 1905. Takes effect April 15, 1905.

Approved March 10, 1905.]

CHAPTER 89.

AN ACT TO AMEND CHAPTER 96, SESSION LAWS OF 1901, (AS AMENDED BY CHAPTER 118, SESSION LAWS OF 1903) ENTITLED "AN ACT RELATING TO HIGH SCHOOLS."

SECTION
1. Appropriation of state funds for high-school tuition.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Appropriation for high-school tuition.

SECTION 1. Section 3 of chapter 96, session Laws of 1901 (as amended by chapter 118, session Laws of 1903) is hereby amended by substituting the word eight for the word "five" in line 1, so that said section shall read: SECT. 3. Eight thousand dollars shall be appropriated annually from the state treasury for the payment of tuition in high schools or academies, to be paid by the state treasurer in the month of December of each year to the treasurer of such towns as are entitled, and in such manner as is hereinafter provided, upon a sworn certificate of the superintendent of public instruction of the sums due. Towns whose rate of taxation for school purposes in any year is $3.50 or more on $1,000, and whose average rate of taxation for all purposes for five years next preceding is $16.50 or more on $1,000, shall receive a share of said appropriation as follows: If the tax rate is from $16.50 to $17.49, one tenth of the tuition paid. If the tax rate is from $17.50 to $18.49, two tenths of the tuition paid. If the tax rate is from $18.50 to $19.49, three tenths of the tuition paid. If the tax rate is from $19.50 to $20.49, four tenths of the tuition paid. If the tax rate is from $20.50 to $21.49, five tenths of the tuition paid. If the tax rate is from $21.50 to $22.49, six tenths of the tuition paid. If the tax rate is from $22.50 to $23.49, seven tenths of the tuition paid. If the tax rate is from $23.50 to $24.49, eight tenths of the tuition paid. If the tax rate is from $24.50 to $25.49, nine tenths of the tuition paid. Over $25.49, the whole of such tuition. If more than $8,000 should be needed in any year for the purposes of this act, the said $8,000 shall be distributed *pro rata* to the towns entitled to receive the same, in accordance with the foregoing classification.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 90.

AN ACT TO AMEND SECTION 6, CHAPTER 96, LAWS OF 1901, RELATING TO HIGH SCHOOLS AND ACADEMIES.

SECTION
1. School district may contract with high school or academy within the state.
2. Repealing clause.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 6, chapter 96, session Laws of 1901 (as amended by chapter 118, session Laws of 1903) by striking out all of said section and inserting in place thereof SECT. 6. Any school district may make contracts with any academies or high schools or other literary institutions located in the state for furnishing instruction to its scholars; and such school district may raise and appropriate money to carry into effect any contracts in relation thereto. Every such academy or high school or literary institution shall then be deemed a high school maintained by such district, if approved by the superintendent of public instruction in accordance with section 4 of this act. District may contract for high-school tuition.

SECT. 2. All acts or parts of acts inconsistent herewith are hereby repealed. Repealing clause.

SECT. 3. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 91.

AN ACT TO AMEND CHAPTER 46, SESSION LAWS OF 1895, AN ACT REQUIRING TRUANT OFFICERS OR AGENTS APPOINTED BY THE SCHOOL BOARDS OF CITIES AND TOWNS TO MAKE AN ANNUAL ENUMERATION OF CHILDREN BETWEEN THE AGES OF FIVE AND SIXTEEN YEARS. (AS AMENDED BY CHAPTER 86, SESSION LAWS OF 1903.)

SECTION 1. Annual enumeration to be made in September.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 1 by striking out the word "October" in line 3 and substituting therefor the word September; so that said section as amended shall read: SECTION 1. Truant officers or agents appointed by school boards of cities and towns shall annually, in the month of September, Annual enumeration to be made in September.

make an enumeration of the children of each sex, between the ages of five and sixteen years, in their town or city, giving such items in regard to each child as may be required by the school board or the state superintendent of public instruction, and shall make a report to the school board thereof within fifteen days after the completion.

[Approved March 10, 1905.]

CHAPTER 92.

AN ACT TO ESTABLISH A STATE SANATORIUM FOR CONSUMPTIVES.

SECTION

1. To be established by state.
2. Governor to appoint board of trustees.
3. Trustees to report on proposed locations, purchase site, and erect buildings.
4. Trustees created a corporation; powers.
5. Compensation of trustees.
6. Charges for support of patients.
7. Treasurer, appointment and duties.
8. Building expenses to be audited.
9. Annual report of trustees.
10. Appropriation of $50,000, how provided.
11. Scrip or certificates of indebtedness, form of.
12. Scrip or certificates, when to be issued.
13. Act void if suitable institution otherwise provided; takes effect May 1, 1907.

Be it enacted by the Senate and House of Representatives in General Court convened:

To be established by state.

SECTION 1. The state shall establish an institution for the treatment of tuberculosis to be known as the New Hampshire State Sanatorium, for which a site shall be selected and buildings erected, and which shall be governed in the manner hereinafter set forth.

Governor to appoint board of trustees.

SECT. 2. The governor, with advice and consent of the council, shall appoint five persons, at least two of whom shall be physicians, who shall constitute a board of trustees of the institution, and who shall hold office for terms of one, two, three, four, and five years, respectively, beginning with the first Monday in May of the present year, and until their successors are appointed and qualified; and previous to the first Monday in May in each year thereafter there shall be appointed in like manner one trustee to hold the office for a term of five years, beginning with the first Monday in May of the year of his appointment, and until his successor is appointed and qualified. Any vacancy shall be filled for the unexpired term by the governor with the advice and consent of the council.

Report on proposed locations; erection of buildings.

SECT. 3. The said board of trustees shall select one or more localities, such as they may deem suitable for a site for said sanatorium and which shall not be less than eight hundred feet

above sea level, and shall make a report upon the said proposed location or locations to the governor and council, and no site shall be chosen until its location has been approved by the said governor and council. After the location shall have been approved, as herein provided, the said board of trustees shall have authority to purchase, in behalf of the state, real estate for the said sanatorium and cause to be erected thereon suitable buildings for the accommodation of patients, officers, employés and attendants, in the construction of which buildings New Hampshire architects, materials and labor shall be employed as far as practicable, and to provide for the equipment and furnishing of said buildings, the total expenditure not to exceed the amount appropriated in this act.

Trustees a corporation.

SECT. 4. The said board of trustees shall be a corporation, known as Trustees, New Hampshire State Sanatorium, with power to sue in any court in the state upon any contract to which it is by law authorized to be a party; to manage and control the property and concern of the sanatorium; to appoint a superintendent, who shall be a physician; to appoint, upon the nomination of the superintendent, such stewards, matrons, assistant physicians, and nurses as the board may, from time to time, deem necessary or proper; to appoint such other employés, laborers, and helpers as the board deems necessary; to determine the salaries and compensation of all persons rendering service to the board of trustees or to the sanatorium; to take and hold in trust for the state any grant, devise, bequest, or donation of land, money, or other property for the use of the sanatorium, or for the maintenance or help of any patient or patients in said sanatorium; and to adopt such by-laws and rules as the board may deem necessary or proper for the management of their business affairs, the admission of patients, and for the government of the sanatorium.

Compensation of trustees.

SECT. 5. After the establishment of said sanatorium said trustees shall receive no compensation for their services, but they shall be reimbursed from the treasury of the state for all expenses actually incurred by them in the performance of their official duties. The governor and council shall fix the compensation to be paid to them for services rendered in the selection and purchase of real estate, and in the construction, equipment, and furnishing of the sanatorium buildings.

Charges for support of patients.

SECT. 6. The charges for the support of patients in the sanatorium who are able to pay for their care and treatment shall be fixed by the board of trustees. Persons in indigent circumstances, and whose relatives legally chargeable with their support are unable to provide for such treatment, may be received for treatment at the expense of the state upon an order issued by the state board of charities and correction, said order to be based upon satisfactory evidence to be kept on file in the office of the said board that the said patient is entitled to treat-

ment under the provisions of this section. In cases where the said state board of charities and correction finds that persons applying for treatment at the sanatorium, or whose relatives chargeable with their support are able to pay only a part of the weekly expense of maintenance at the institution, the said board may issue an order to admit such persons to the said institution for treatment, and the state shall be holden for the amount necessary to make up the deficit; but when supported in whole or in part by the state, as herein provided, only the actual cost of maintenance shall be charged, and in no case shall any aid rendered any individual under the provisions of this act be construed so as to deprive him of any rights that he may have possessed at the time of his admission to the institution.

Treasurer, appointment and duties.

SECT. 7. The board of trustees shall select a competent person for treasurer, who shall have the custody of all moneys received and all money, securities and obligations belonging to the sanatorium. He shall keep a full and accurate account of all receipts and payments in the form and manner prescribed by the by-laws, and such other accounts as shall be required of him by the board of trustees. He shall render a quarterly statement of all receipts and payments, and shall render such further accounts of the state of his books and of the funds and other property in his custody as may be required by the trustees. He shall receive for the use of the sanatorium money which may be paid upon obligations or securities in his hands belonging to the institution, and all sums paid to the sanatorium for the support of any patient therein, or for actual disbursements made in any patient's behalf, and money paid to the sanatorium from any other source. He shall pay all the legitimate expenses of the institution, upon approval of the auditing committee. He shall deposit all moneys received for the care of patients and all other revenues in a bank designated by the board of trustees. The said treasurer, before assuming the duties of office, shall give a satisfactory bond to the board of trustees in such amount as they may determine, for the faithful performance of his duties.

Building expenses to be audited.

SECT. 8. All bills contracted by the trustees in purchasing a site, erecting and repairing buildings, and in operating the institution shall be audited by the auditor of the state treasurer's accounts, and the governor shall draw his warrant upon the treasury to pay the same.

Annual report.

SECT. 9. The trustees shall, on or before the first day of October of each year, furnish a report to the governor and council containing a history of the institution for the year, number of persons treated, results of treatment, and a complete statement of accounts, with all the funds, general and special, appropriated or belonging to the said institution, with a detailed statement of disbursements.

SECT. 10. For the purpose of carrying out the provisions of this act, the sum of fifty thousand ($50,000) dollars shall be set apart and shall be provided in the manner following: Appropriation of $50,000, how provided.

The state treasurer shall issue scrip or certificates of indebtedness to the amount aforesaid. Such scrip or certificates of indebtedness shall be issued as registered bonds with interest coupons attached, and shall bear interest at a rate not exceeding three and one half per cent. per annum; they shall be designated on the face thereof, New Hampshire State Sanatorium Loan, and shall be deemed a pledge of faith and credit of the state, and the principal and interest thereof shall be paid at the time specified therein in gold coin of the United States or its equivalent. Such scrip or certificates of indebtedness shall be sold or disposed of at public auction or in such other manner and at such times and prices, in such amounts and at such rates of interest, not exceeding the rate above specified, as shall by the state treasurer be deemed advisable. Said scrip or certificates of indebtedness shall be issued in such denominations, each certificate being for not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000), as the state treasurer shall deem advisable. They shall be payable in ten years from the date of their issue; after the expiration of said ten years from the date of issue, interest thereon shall cease.

SECT. 11. All scrip or certificates issued for the purposes of this act shall be signed by the state treasurer and countersigned by the governor. A record of said issues shall be kept which shall show the date and amount of each issue and the number and denomination of the certificates and the persons to whom sold or issued. This record shall be kept in duplicate and one copy retained by the state treasurer and the other deposited with the secretary of state, each record to be kept in the office of the officer above named as custodian and to be accessible at all times for inspection by the public. Form of certificates.

SECT. 12. The scrip or certificates of indebtedness shall be issued from time to time as shall be required for the expenditures made under the authority of said trustees for the purposes specified in this act; but the issue thereof may be made a sufficient length of time in advance, so that the payment of the state's obligations in this behalf may be made promptly and without making it necessary to appropriate other funds for the purpose. Certificates, when to be issued.

SECT. 13. In case a sanatorium for consumptives, suitable in the judgment of the governor and council and the secretary of the state board of health, to meet the public demand, shall be established in this state prior to May 1, 1907, this act shall be null and void. Otherwise it shall take effect on that date. Act void if institution otherwise provided; takes effect May 1, 1907.

[Approved March 10, 1905.]

CHAPTER 93.

AN ACT IN RELATION TO POLITICAL CAUCUSES AND CONVENTIONS.

SECTION
1. Town and ward caucuses, how called.
2. Notice to contain what; polls to remain open, how long.
3. Ballot and check-list to be used; plurality to determine.
4. Preparation of check-list.
5. Character of ballots and conduct of caucus.
6. Irregular voting prohibited.
7. Who may vote in caucus; penalty for violations of act.
8. Preservation of check-list.
9. Legality of nominations to be certified.
10. Act in force, where.
11. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Caucuses, how called.

SECTION 1. All town and ward caucuses shall be called by a notice posted in five conspicuous places in the town or ward, one of which places shall be the post-office, if there is one in said town or ward, and published in some newspaper, if there be any, published in the town or city, ten days or more before the day of the caucus.

Notice, to contain what; polls open, how long.

SECT. 2. Said notice shall specify the place and the day and hour of meeting, and shall further state the time during which the polls shall be open for the reception of ballots, which at caucuses for the election of delegates to conventions shall be fixed by the executive committee of the party in the town or ward holding the caucus, but in no case shall the time during which the polls shall be open be less than one hour. At all other caucuses the time shall be, in towns and wards having not more than two thousand inhabitants according to the last preceding national census, not less than two hours, and in towns and wards having more than two thousand inhabitants according to such census, not less than three hours.

Ballot by check-list; plurality to determine.

SECT. 3. All nominations and elections at any caucus shall be by ballot, and in balloting a check-list shall invariably be used; a plurality shall in every case be sufficient to nominate or elect.

Preparation of check-list.

SECT. 4. The check-list for use at any caucus shall be prepared by the local executive committee of the party holding said caucus. Notice of the times and places where the executive committee will attend for the purpose of receiving evidence and suggestions as to the make-up of the check-list, shall be given in the same manner as notice of the caucus is required to be given. No man shall be allowed to vote in the caucus unless his name is on the said check-list. No name shall be placed on the check-list after the hour for the opening of the caucus has arrived except the name of a person whose right to vote in the caucus is well known to the executive committee.

SECT. 5. The local executive committee of the party holding the caucus shall have full power to regulate the form, size, and character of the ballots to be used, and also to regulate the manner of conducting the caucus, in any way consistent with the provisions of this act. Character of ballots and conduct of caucus.

SECT. 6. No person shall vote in any caucus unless his name is on the check-list used by said caucus, or upon the name of any other person, and no person shall vote in the caucus of more than one political party, or having voted in the caucus of a political party sign the nomination papers of any other political party. Irregular voting prohibited.

SECT. 7. No person shall vote in any caucus unless he intends to support the ticket of the party holding the caucus at the next ensuing election. When the right of any person to vote in a caucus is challenged he shall stand aside and subscribe to the following oath or affirmation before his vote shall be received: I, —— ——, do solemnly swear (or affirm) that I am a legal voter in ———, and that I intend to vote the ticket of the party holding this caucus at the next ensuing election. Any person who shall violate any of the provisions of this act shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding thirty days. Any person who shall swear falsely in regard to the provisions of this act shall be guilty of perjury and punished accordingly. Who may vote; penalty for violations.

SECT. 8. The presiding officer of every caucus shall, within forty-eight hours after the close of said caucus, file with the clerk of the city or town in which such caucus was held, the check-list used in said caucus, and the said clerk shall keep the same for the full period of two calendar months thereafter, in his office, open to the inspection of every citizen of such city or town, and shall not make nor permit to be made upon such check-list any mark whatever. Preservation of check-list.

SECT. 9. In filing nominations with the secretary of state the presiding officer of the caucus shall certify that the caucus was called and conducted according to the provisions of this act. If nominations are not accompanied by such certificate they shall not be placed upon the official ballot. Legality of nominations to be certified.

SECT. 10. This act shall be in force in all cities of twelve thousand inhabitants, according to the census of 1900, and in such other cities and towns of the state as shall by majority vote of the voters at an annual or biennial meeting adopt the same. Act in force, where.

SECT. 11. This act shall take effect upon its passage, and chapter 105 of the Laws of 1901 as amended by chapter 40 of the Laws of 1903 is hereby repealed. Takes effect on passage; repealing clause.

[Approved March 10, 1905.]

CHAPTER 94.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 216 OF THE PUBLIC STATUTES RELATING TO ACTIONS.

SECTION
1. Transitory actions, where brought.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Transitory actions, where brought.

SECTION 1. That section 1 of chapter 216 of the Public Statutes be amended by adding the words An action by or against an executor or administrator shall be brought in the same county or in one of the counties in which it might have been brought by or against the testator or intestate at the time of his decease, *provided, however*, that nothing in this act shall affect the right of any executor or administrator to maintain an action in the county wherein he is appointed, so that said section shall read: SECTION 1. Transitory actions, in which any one of the parties is an inhabitant of the state, shall be brought in the county and judicial district where some one of them resides. If no one of the parties is an inhabitant of the state, the action may be brought in any county. An action by or against the executor or administrator shall be brought in the same county or in one of the counties in which it might have been brought by or against the testator or intestate at the time of his decease, *provided, however*, that nothing in this act shall affect the right of any executor or administrator to maintain an action in the county wherein he is appointed.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 95.

AN ACT TO AMEND SECTION 14, OF CHAPTER 286 OF THE PUBLIC STATUTES RELATING TO THE SALARY OF THE JUDGE OF PROBATE FOR COÖS COUNTY.

SECTION
1. Annual salary to be $900.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Annual salary $900.

SECTION 1. That section 14, chapter 286 of the Public Statutes, and any amendment thereof, be amended by striking out the twelfth line of said section, and inserting in place thereof the following: In Coös county nine hundred dollars.

Takes effect on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 10, 1905.]

CHAPTER 96.

AN ACT IN AMENDMENT OF CHAPTER 12, SECTION 10 OF THE PUBLIC STATUTES PROVIDING FOR MORE EXTENSIVE ADVERTISING OF THE NATURAL RESOURCES AND ATTRACTIONS OF THE STATE.

SECTION
1. Encouragement of immigration and summer residence.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Chapter 12, section 10 of the Public Statutes is hereby amended by adding after the word "immigration" in the third line of said section the words or summer residence; and by striking out the word "two" in the sixth line of said section and inserting the word three, so that said section as amended shall read as follows: [SECT. 10.] The secretary shall collect information in relation to opportunities for developing the agricultural resources of the state through immigration or summer residence, and shall cause the facts obtained and a statement of the advantages offered to be circulated wherever the board may consider it to be for the best interests of the state; and the expense thereof not exceeding three thousand dollars annually as audited and allowed by the governor and council, shall be paid from the state treasury. Encouragement of immigration, etc.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 97.

AN ACT FOR THE PROTECTION OF FORESTS FROM FIRE.

SECTION
1. Fire chiefs constituted forest fire wardens; duties; right to arrest.
2. Wardens may call for assistance; failure to respond, how punished; compensation for assistance.
3. Wardens to report to forestry commission and county solicitors.
4. If no fire department, forestry commission may appoint warden; compensation of wardens.
SECTION
5. Wardens in unorganized towns, how appointed and paid.
6. Neglect of duty by warden, how punished.
7. Failure to extinguish or report forest fire, how punished.
8. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. In cities and towns where organized fire departments are established the chief of the fire department is hereby constituted forest fire warden for such city or town. In time of Fire chiefs to be forest fire wardens; duties; right to arrest.

drought the forest fire wardens, themselves or by some agent or agents designated by them shall, when directed by the forestry commission, patrol the woods in their respective cities or towns, warning persons who traverse the woods, campers, hunters, fishermen and others, about lighting and extinguishing fires. They shall post extracts from the fire laws, and other notices sent to them by the forestry commission, along highways, along streams and waters frequented by tourists and others, at camp sites and in other public places. If, in woodlands thus posted, any person, other than the owner of said lands or his agents acting under his direction, shall build fires when warned not to do so by the forest fire warden, or shall fail to extinguish a fire when ordered to do so by the warden, he may be arrested by the warden without a warrant.

Wardens may call for assistance; failure to respond, how punished; compensation for assistance.

SECT. 2. It shall be the duty of the warden to extinguish all brush or forest fires occurring in his town, and he may call such assistance as he shall deem necessary to assist him in so doing, and may require the use of wagons, tools, horses, etc., for that purpose. If any person fails to respond to the warden's call for his assistance or the use of his property, he shall be fined not exceeding ten dollars. The city or town shall pay reasonable compensation for their services to all persons summoned to assist the warden and for the use of all property required by him in the extinguishment of a forest or brush fire. In case the warden and the persons summoned to assist him or to furnish the use of property, shall fail to agree upon the terms of compensation at the time or after the required service has been rendered, the dispute shall be referred to the commissioners of the county in which the city or town is located for final settlement.

Wardens to report to forestry commission and county solicitors.

SECT. 3. Forest fire wardens shall make reports of their doings to the forestry commission in such form and at such times as the commission may require. If a warden has reason to believe that any brush or forest fire in his city or town was caused in violation of statute he shall report to the county solicitor all the facts coming within his knowledge and said solicitor, if the facts as so reported seem to him sufficient, shall take action to recover the penalty fixed by statute for such violation.

If no fire department, forestry commission may appoint warden; compensation of wardens.

SECT. 4. In towns where no organized fire department exists the forestry commission shall annually designate some member of the board of selectmen as forest fire warden, who shall perform in his town all the duties hereinbefore set forth for wardens in cities and towns having organized fire departments. All forest fire wardens hereinbefore provided for shall receive pay for their services from the city or town treasurer in such sums and in such manner as they are ordinarily paid for services as members of the fire department or as selectmen.

SECT. 5. In unorganized towns, the forestry commission, on the application of the owners of forest land situated therein, are authorized to appoint a suitable number of special forest fire wardens, to define their duties and to fix their compensation. The cost of such special forest fire wardens shall be paid by the persons making application for their appointment, and, upon certificate of the forestry commission, one half of such sum shall be repaid to the applicants by the treasurer of the county wherein said unorganized township is located. Wardens in unorganized towns, how appointed and paid.

SECT. 6. If any forest fire warden provided for in sections 1 and 4 of this act shall neglect or refuse to perform the duties prescribed for him he shall forfeit not less than $100 nor more than $500, to be recovered in an action for debt, upon complaint of the forestry commission, and all forfeitures so recovered shall be paid into the state treasury. Neglect of duty by warden, how punished.

SECT. 7. It shall be the duty of any person who discovers a forest or brush fire not under the control or supervision of some person to extinguish it or to report it immediately to the local fire warden, and failure so to do shall be punished by a forfeiture not exceeding ten dollars, to be recovered upon complaint of the warden. Failure to extinguish or report fire, how punished.

SECT. 8. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 98.

AN ACT TO PROHIBIT THE USE OF SWIVEL AND PUNT GUNS.

SECTION
1. Use of certain fire-arms in hunting, how punished.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. If any person shall, at any time, within this state, hunt, pursue, shoot at, or kill any game bird, as defined by section 34 of chapter 79 of the Laws of 1901, with any punt gun, swivel gun, or other gun not fired from the shoulder, or of larger bore than ten gauge, he shall be fined not more than ten dollars for each offense and shall forfeit all guns and implements with which the offense was committed. And all guns and implements so used shall be seized by any detective, constable or police officer and shall be destroyed by the person seizing them. Use of certain fire-arms, how punished.

SECT. 2. This act shall take effect on its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 99.

AN ACT TO AMEND SECTIONS 7 AND 14, CHAPTER 53, OF THE PUBLIC STATUTES, RELATING TO VILLAGE DISTRICTS.

SECTION
1. Officers of village districts, powers, etc.
2. Clerk to notify town clerks of appointment of fire engineers.
SECTION
3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Officers, powers, etc.

SECTION 1. Amend section 7, chapter 53 of the Public Statutes, by inserting after the words "The commissioners shall," in the seventh line of said section, the following words:— appoint a chief engineer, and two assistant engineers to serve in the fire department for the ensuing year, and may remove said engineer, or engineers, for cause, after hearing, and shall —so that said section, as amended, shall read as follows: SECT. 7. The moderator, clerk, treasurer, and commissioners shall severally qualify and possess the same powers and perform the same duties in respect to the district's meetings and business affairs that the moderator, clerk, treasurer, and selectmen of towns respectively possess and perform in respect to like matters in towns. They shall hold office for one year and until their successors are chosen and qualified. The commissioners shall appoint a chief engineer, and two assistant engineers to serve in the fire department for the ensuing year, and may remove said engineer, or engineers, for cause, after hearing, and shall fill vacancies in the offices of clerk and treasurer and in their own board, in the same manner as selectmen are required to fill vacancies in corresponding town offices.

Clerk to notify town clerks of appointment of fire engineers.

SECT. 2. Amend section 14 of said chapter 53 by striking out the word "election" in the second line thereof, and substituting therefor the word appointment, so that said section, as amended, shall read as follows: SECT. 14. The clerk of any district having firewards or engineers shall forthwith, after their appointment, from time to time report their names and post-office addresses to the town clerks of the town in which the district is situated; and if he fails to do so, he shall be fined twenty dollars, one half for the use of the complainants and the other half for the use of the towns.

Repealing clause; act takes effect on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 100.

AN ACT TO PROVIDE FOR THE ASSESSMENT AND COLLECTION OF AN ANNUAL STATE TAX FOR THE TERM OF TWO YEARS.

SECTION
1. Annual state tax of $500,000.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The sum of five hundred thousand dollars shall be raised annually for the use of the state for the years 1906 and 1907 and the state treasurer is hereby directed seasonably to issue his warrants to the selectmen of the several towns and places, and to the assessors of the several cities in this state, according to the apportionment of the public taxes made at the January session of the legislature in 1903; and the selectmen of such towns and places and the assessors of such cities are hereby directed to assess the sum specified in said warrants and cause the same to be paid to said treasurer on or before the first day of December, 1906 and 1907; and the state treasurer is hereby authorized to issue his extent for all taxes which shall remain unpaid on the dates last above mentioned. Annual tax of $500,000.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 101.

AN ACT IN AMENDMENT OF SECTION 27 OF CHAPTER 10 OF THE PUBLIC STATUTES RELATING TO DISCHARGE FROM THE NEW HAMPSHIRE STATE HOSPITAL.

SECTION
1. Superior court may parole patients.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 27 of chapter 10 of the Public Statutes is hereby amended by adding thereto at the end thereof the following sentence: The superior court or any justice thereof may, with or without notice, in term or vacation, on due cause shown, parole any person committed to the New Hampshire State Hospital upon such terms and conditions as justice may require; and said court or justice may at any time thereafter, Superior court may parole patients.

on due cause shown, revoke said parole and order said person returned to said state hospital under the original commitment.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 102.

AN ACT IN AMENDMENT OF SECTION 14, CHAPTER 180, PUBLIC STATUTES, REGULATING THE HOURS OF LABOR FOR WOMEN AND MINORS IN MANUFACTURING AND MECHANICAL ESTABLISHMENTS.

SECTION 1. Hours of employment for women and minors under eighteen; fifty-eight hours per week during July and August.

Be it enacted by the Senate and House of Representatives in General Court convened:

Hours of employment for women, etc.

SECTION 1. That section 14, chapter 180 of the Public Statutes be amended by adding at the end thereof the following: nor fifty-eight in one week during the months of July and August so that said section 14 shall read as follows: [SECT. 14.] No woman and no minor under eighteen years of age shall be employed in a manufacturing or mechanical establishment for more than ten hours in one day, except in the following cases:

I. To make a shorter day's work for one day in the week.

II. To make up time lost on some day in the same week in consequence of the stopping of machinery upon which such person was dependent for employment.

III. When it is necessary to make repairs to prevent interruption of the ordinary running of the machinery.

In no case shall the hours of labor exceed sixty in one week, nor fifty-eight in one week during the months of July and August.

[Approved March 10, 1905.]

CHAPTER 103.

AN ACT TO PROVIDE ADDITIONAL ACCOMMODATIONS AT THE NEW HAMPSHIRE STATE HOSPITAL.

SECTION
1. Appropriation of $200,000 for hospital, etc.
2. Issue of bonds to be authorized.
3. Bonds, form of and how issued.
4. Funds to be expended on orders by governor.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That, to provide additional accommodations for the care, control and treatment of insane persons, as contemplated by chapter 61 of the Laws of 1903, the sum of two hundred thousand dollars be, and hereby is raised and appropriated for the purpose of the erection of a hospital building, and securing therefor the necessary furnishing, heating, lighting, plumbing, water facilities and fire protection, at an expense not exceeding one hundred and fifty thousand dollars, the construction of six iron fire-proof stairways, at an expense not exceeding twenty-five thousand dollars, the erection of a storehouse, including cold storage facilities, at an expense not exceeding fifteen thousand dollars, the erection of an employés' building, including lighting, furnishing and plumbing, at an expense not exceeding ten thousand dollars, in accordance with plans and specifications to be approved by the governor and council; said sums to be expended under the direction of the trustees of said institution. And any balance of said sum of two hundred thousand dollars, or the proceeds of the bonds hereinafter provided for, not required for the several purposes above enumerated, may be used for any other necessary enlargement, or changes, of existing buildings of the state hospital, which may be approved by the governor and council, and to be in accordance with plans and specifications to be also approved by the governor and council. Appropriation of $200,000.

SECT. 2. The state treasurer is hereby authorized, under the direction of the governor and council, to borrow said sum of two hundred thousand dollars, on the credit of the state; and to issue bonds, or certificates of indebtedness therefor, in the name and on behalf of the state, ten thousand dollars thereof to be paid annually, beginning on July 1, 1906, at a rate of interest not exceeding three and one half per cent. per annum, payable semi-annually, on the first days of January and July of each year; such bonds to have interest warrants or coupons attached thereto; said coupons to be signed by the state treasurer, and said bonds and coupons to be made payable at such place as the governor and council shall designate. Issue of bonds authorized.

Bonds, form of and how issued.

SECT. 3. Said bonds shall be designated New Hampshire State Hospital Bonds, and shall be signed by the treasurer, and countersigned by the governor, and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep a record of all bonds countersigned by the governor, showing the number and amount of each bond, the time of countersigning, the time when payable, and the date of the delivery to the state treasurer. The treasurer shall keep a record of all bonds disposed of by him, showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale, and the time when payable. The treasurer may negotiate and sell such bonds to the best advantage for the state, but no bond shall be sold for less than its par value, nor shall such bonds be loaned, pledged, or hypothecated in any way whatever.

Funds, how expended.

SECT. 4. The governor shall draw his orders on the state treasurer, for the amounts that may be, or become, due from time to time, under the contracts of the trustees, approved by the governor and council, for the purposes aforesaid, after said bills shall have been duly approved by the governor and council, to an amount not exceeding the proceeds of said bonds.

Takes effect on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 104.

AN ACT AUTHORIZING THE COUNTY OF BELKNAP TO CONDEMN LAND FOR THE PURPOSE OF ENLARGING THE COUNTY COURTHOUSE LOT.

SECTION
1. Authority granted.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Authority granted.

SECTION 1. That, providing the county commissioners for the county of Belknap, having been duly authorized by vote of the county convention for said county on February 16, 1905, to purchase land for the purpose of enlarging the county courthouse lot, shall be unable to obtain suitable land for said purpose, by contract, at a reasonable price, any land so required for said use may be taken, the damage assessed, and the same remedies and proceedings had as in the case of laying out of highways, and it is herein provided that the venue of said action shall be in such county as the superior court for the county of Belknap shall determine.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 105.

AN ACT IN AID OF A MORE GENERAL AND UNIFORM ENFORCEMENT OF THE POLICE OF TOWNS, ESPECIALLY THOSE OFFENSES PROHIBITED BY SECTION 14 OF CHAPTER 264 OF THE PUBLIC STATUTES.

SECTION
1. Enforcement of law against drunkenness enjoined upon local officials; attorney-general and solicitor to act, when.
2. Expense of prisoner detained in county jail for drunkenness charge upon county.
3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Enforcement of law enjoined; attorney-general and solicitor to act, when.

SECTION 1. It shall be the duty of the police commissioners in cities in which such commissions are established by the state, and it shall be the duty of the police department in any other cities, to cause the provisions of section 14 of chapter 264 of the Public Statutes to be enforced. The same duty in towns is hereby imposed upon selectmen, police officers, and town agents appointed under section 9 of chapter 122 of the Laws of 1903. In case the duties imposed as aforesaid are not performed by the designated local authorities in towns, the attorney-general shall cause the county solicitor to enforce the provisions of said section 14 of chapter 264 of the Public Statutes in towns and cities in which the local authorities or police commissioners fail to make such enforcement, and the expense of such prosecutions shall be a charge against the town or city to be recovered from it by the county.

Expense of prisoner in jail for drunkenness charge upon county.

SECT. 2. The expense of detention of persons committed to the county jail or county house of correction by justices of the peace or police justices, either in cities or towns, upon complaints for drunkenness shall be a charge upon the county and the same shall not be a charge against the city or town in which the offense or prosecution occurred.

Repealing clause; act takes effect on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 106.

AN ACT IN AMENDMENT OF CHAPTER 65 OF THE LAWS OF 1903 IN RELATION TO STATE AID TO INDIGENT DEAF AND DUMB AND BLIND PERSONS.

SECTION
1. Annual appropriation of $14,000.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Annual appropriation of $14,000.

SECTION 1. Chapter 65, section 1, of the Laws of 1903, is hereby amended by striking out in the third line thereof the word "indigent" before the words "deaf and dumb" and "persons," so that the section shall read as follows: SECTION 1. The sum of fourteen thousand dollars is annually appropriated for the support and education of deaf and dumb and blind persons of the state.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 107.

AN ACT IN AMENDMENT OF SECTION 14, CHAPTER 78, OF THE LAWS OF 1901, FIXING THE SALARIES OF THE CHIEF AND ASSOCIATE JUSTICES OF THE SUPREME AND SUPERIOR COURTS.

SECTION 1. Salaries of and allowances to judges.

Be it enacted by the Senate and House of Representatives in General Court convened:

Salaries of and allowances to judges.

SECTION 1. Section 14 of chapter 78 of the Laws of 1901 is hereby amended by striking out the whole of said section and inserting instead thereof the following: SECT. 14. The annual salary of the chief justice of the supreme court shall be $4,200, and that of each of the associate justices thereof, shall be $4,000, and the annual salary of the chief justice of the superior court shall be $4,200, and that of the associate justices thereof. $4,000. Actual expenses shall be allowed to the justices of the courts as now provided by law.

[Approved March 10, 1905.]

CHAPTER 108.

AN ACT IN ADDITION TO PUBLIC STATUTES CHAPTER 265 AND CHAPTER 7 OF LAWS OF 1895 AND AMENDMENTS THERETO, RELATING TO OFFENSES AGAINST MINORS.

SECTION
1. Neglect of parent to support minor child, how punished.
2. Penalty if offense not of aggravated nature.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. If any parent, having the legal custody of a minor child, and being of sufficient ability by reason of capacity to labor or otherwise, shall neglect to make reasonable provision for the support of such minor child, and by reason of such neglect, such minor child shall become a town or county charge, such parent shall be fined not exceeding fifty dollars, for each offense. Neglect of parent to support, how punished.

SECT. 2. Whenever, in any prosecution for an offense under the provisions of this chapter, the police court or justice of the peace before whom the accused shall be brought for trial is of the opinion that the offense is not of an aggravated nature, said court or justice shall have power to render final judgment and sentence subject to the right of appeal as in other cases, and may impose a fine not exceeding ten dollars. If offense not of aggravated nature.

SECT. 3. This act to take effect on its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 109.

AN ACT IN AMENDMENT OF SECTION 14, CHAPTER 169 OF THE PUBLIC STATUTES AS AMENDED BY CHAPTER 67 OF THE LAWS OF 1901, ENTITLED "FOREIGN INSURANCE COMPANIES AND THEIR AGENTS."

SECTION 1. Taxes to be paid by foreign insurance companies.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 14 of chapter 169 of the Public Statutes be amended by inserting after the words "licensed resident agents" the words or in companies organized under the laws of this state. So that when amended the section will read:—SECT. 14. Every such fire, marine, fidelity and casualty insurance company shall pay to the state treasurer, within Taxes to be paid by foreign insurance companies.

one month after receiving notice from the insurance commissioner of the amount thereof, a tax of two per cent. upon the gross premiums received by it, less return premiums and reinsurance, when effected in authorized companies by the companies' licensed resident agents or in companies organized under the laws of this state, upon business done within the state, during the year ending on the thirty-first day of the preceding December, as assessed by the commissioner; and all other such insurance companies shall pay to the state treasurer, within one month after receiving notice from the insurance commissioner of the amount thereof, a tax of one per cent. upon the premiums received by them upon business done within the state during the year ending on the thirty-first day of the preceding December, as assessed by the commissioner.

[Approved March 10, 1905.]

CHAPTER 110.

AN ACT PROVIDING COMPENSATION FOR MEMBERS OF THE GOVERNOR'S COUNCIL.

SECTION
1. Compensation fixed.

SECTION
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Compensation fixed.

SECTION 1. The members of the governor's council shall be paid at the rate of eight dollars a day, each, for such time as they are actually engaged in the service of the state. In lieu of mileage now allowed them for travel they shall receive their actual expenses.

Repealing clause; act takes effect on passage.

SECT. 2. Section 21 of chapter 286 of the Public Statutes and all other acts or parts of acts inconsistent with this act are hereby repealed and this act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 111.

AN ACT IN AMENDMENT OF SECTION 1 OF CHAPTER 66 OF THE LAWS OF 1901, ENTITLED, "AN ACT IN RELATION TO MORTGAGES OF CORPORATIONS."

SECTION
1. Corporation may mortgage certain property thereafter acquired; liens not affected thereby.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 1 of chapter 66 of the Laws of 1901 by striking out said section and inserting in lieu thereof the following: SECTION 1. Any corporation mortgaging its property and franchises to secure its bonded or other indebtedness may include in the mortgage after-acquired property of the following classes only, namely: real estate, franchises, fixtures, machinery, and rolling stock; *provided, however*, that such mortgage of after-acquired property shall not affect any builders' or other lien.

Certain after-acquired property may be mortgaged.

SECT. 2. This act shall take effect upon its passage.

Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 112.

AN ACT IN AMENDMENT OF CHAPTER 78 OF THE LAWS OF 1897, ENTITLED "AN ACT IN AMENDMENT OF THE PUBLIC STATUTES, RELATING TO THE MANNER OF CONDUCTING CAUCUSES AND ELECTIONS."

SECTION
1. Certificates of nomination; caucuses and conventions, when to be held.
SECTION
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 4 of chapter 78 of the Laws of 1897 is hereby amended by adding thereto the words Any caucus or convention wherein nominations are made of candidates to be voted for by the voters of the entire state shall be held, at least, thirty-five days prior to the day of election; wherein nominations are made of candidates to be voted for by the voters of cities and wards, at least, twenty-one days prior to the day of election, and in all other cases, at least twenty-eight days prior to the day of election. So that said section as

Certificates of nomination; caucuses and conventions, when to be held.

amended shall read: SECT. 4. Certificates of nominations made in accordance with the provisions of sections 2 and 3 of this act, shall contain the name and residence of each candidate, the office for which he is nominated, and the political principles or party he represents, and shall be signed by the chairman and clerk of the caucus or convention, and when practicable such certificates of nomination shall be signed by each candidate, but the absence of the signature of a candidate shall not invalidate a certificate of nomination. Any caucus or convention wherein nominations are made of candidates to be voted for by the voters of the entire state shall be held, at least, thirty-five days prior to the day of election; wherein nominations are made of candidates to be voted for by the voters of cities and wards, at least, twenty-one days prior to the day of election, and in all other cases, at least twenty-eight days prior to the day of election.

Repealing clause; act takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 113.

AN ACT TO PROTECT THE BEACONS, BUOYS AND FLOATING GUIDES ON THE COAST OF NEW HAMPSHIRE AND IN THE RIVERS, HARBORS AND CHANNELS IN SAID STATE.

SECTION
1. Injury of beacons, buoys, etc., or use of same for mooring, how punished.
2. Forfeiture, how recovered and distributed.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Injury of and use of for moorings, how punished.

SECTION 1. Any person or persons who shall moor any vessel, scow, boat, or raft, to any buoy or beacon or floating guide placed by the United States in the navigable waters of this state, or who shall in any manner make fast thereto any vessel, boat, scow, or raft shall forfeit and pay a sum not exceeding fifty dollars; and any person or persons who shall wilfully destroy injure or remove any such beacon or guide shall forfeit and pay a sum not exceeding one hundred dollars, and be imprisoned for three months.

Recovery and distribution of forfeiture.

SECT. 2. Said forfeitures may be recovered by an action of tort, complaint or indictment before any court competent to try

the same; one third accruing to the informer or complainant and the other two thirds to the county in which the trial shall be had.

SECT. 3. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 114.

AN ACT FOR THE IMPROVEMENT OF FISHING IN LAKE SUNAPEE.

SECTION
1. Black bass protected.
2. Pickerel not protected.
3. Lake Sunapee Protection Corporation may establish hatcheries, etc.
4. Operations to be under control of fish and game commissioners.
5. Repealing clause; act subject to repeal and takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. If any person shall take or kill any black bass in the waters of Lake Sunapee during the months of May and June in any year, except with fly after June 15, he shall be fined ten dollars for each fish so taken or killed, or be imprisoned sixty days, or both. Black bass protected.

SECT. 2. It shall be lawful for any person to take or kill pickerel by hook and line at any time in the waters of said Lake Sunapee. Pickerel not protected.

SECT. 3. The Lake Sunapee Protective Corporation is hereby authorized and empowered at its own expense to erect and maintain fish hatcheries at suitable points near said Lake Sunapee and its tributaries, under the management and supervision of men thoroughly trained and educated in the art of fish culture; to take from said lake and its tributaries brook trout, aureolus trout and land-locked salmon, and to remove spawn from the same for hatching purposes; to take, keep and hatch eggs of brook trout, aureolus trout and land-locked salmon, and to place in the waters of said lake and its tributaries as many brook trout, aureolus trout and land-locked salmon as it may hatch or procure from any source, all fish taken by it from said waters to be handled with the greatest care and by the most approved methods and returned thereto, all eggs taken to be hatched by it and all fry therefrom to be placed in said lake or its tributaries. Establishment of hatcheries, etc.

SECT. 4. The operations of said Lake Sunapee Protective Corporation so far as they relate to fish taken from said lake, or to spawn or fry obtained therefrom, shall be under the supervision and control of the board of fish and game commissioners. To be under control of fish and game commissioners.

Repealing clause; act subject to repeal and takes effect on passage.

SECT. 5. All acts or parts of acts inconsistent with this act are hereby repealed; this act may be altered, amended or repealed whenever the public good requires, and shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 115.

AN ACT TO AMEND CHAPTER 77, SESSION LAWS OF 1899, ENTITLED "AN ACT TO EQUALIZE THE SCHOOL PRIVILEGES OF THE CITIES AND TOWNS OF THE STATE."

SECTION
1. Number of teachers in supervisory districts.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Number of teachers in supervisory districts.

SECTION 1. Section 4 of [chapter 77 of] the session Laws of 1899 is hereby amended by the insertion, after the word "districts" in line 1, of the words of less than three towns or special districts, so that the section shall read: SECT. 4. Supervisory districts of less than three towns or special districts formed under this act shall employ not fewer than twenty nor more than sixty teachers.

Takes effect on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 10, 1905.]

CHAPTER 116.

AN ACT TO AMEND SECTION 15 OF CHAPTER 112 OF THE PUBLIC STATUTES RELATING TO THE BETTER ENFORCEMENT OF THE LIQUOR LAW.

SECTION
1. Illegal sale of alcoholic beverage, how punished.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Illegal sale of alcoholic beverage, how punished.

SECTION 1. Amend section 15 of chapter 112 of the Public Statutes as amended by section 1 of chapter 122 Laws of 1903 by striking out the words "any spirituous liquor" and insert after the word "quantity" and before the word "he" he fol-

lowing: Any spirituous or distilled liquors, rectified spirits, vinus, fermented, brewed or malt liquors, wines, or any beverage, by whatever name called, containing more than one per cent. of alcohol by volume at 60 degrees Fahrenheit, so that said section 15 when amended shall read as follows: SECT. 15. If any person not being an agent of a town or city for the purpose of selling spirit shall sell or keep for sale in any quantity any spirituous or distilled liquors, vinus, rectified spirits, fermented, brewed or malt liquors, wines, or any beverage, by whatever name called, containing more than one per cent. of alcohol by volume at 60 degrees Fahrenheit, he shall be fined not less than $25, or more than $100, and also shall be imprisoned not less than thirty days or more than sixty days. And for any subsequent offense he shall be fined not less than $100 or more than $200, and imprisoned not less than two months or more than twelve months.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 117.

AN ACT RELATING TO THE ENFORCEMENT OF THE LAWS RELATING TO THE ILLEGAL SALE OF INTOXICATING LIQUORS IN NO-LICENSE TERRITORY.

SECTION

1. "No-license territory" defined.
2. Attorney-general the superior authority.
3. County solicitors to prosecute; appointment of substitutes.
4. Complaints, how made; charge of delinquency against county solicitor.
5. County solicitor not to act as attorney for liquor dealer.
6. Attorney-general to proceed against delinquent solicitor.
7. Special compensation of county solicitors.
8. Compensation of substitutes.
9. Sheriffs and deputies to investigate complaints.
10. Actions on bonds of licensees, etc.
11. Duty of public officers under prior acts not affected.
12. Attorney-general may employ clerical assistance.
13. Takes effect May 1, 1905; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The term no-license territory, as employed in this act, shall describe all parts of the state except the premises actually occupied by licensees under the provisions of the act approved March 27, 1903, entitled "An act to regulate the traffic in intoxicating liquor" for the business authorized by their licenses. "No-license territory" defined.

SECT. 2. The superior authority in the enforcement of laws prohibiting the sale of intoxicating liquor and the prosecution of offenders against such prohibitory laws under the provisions Attorney-general the superior authority.

of this act shall be the attorney-general. It shall be his duty to have supervisory direction of all prosecutions authorized by this act and undertaken by the solicitors, and to take personal charge of the same when in his judgment it may be necessary or advisable. All persons engaged in the prosecution of offenses against the liquor laws in no-license territory shall be under his control.

County solicitors to prosecute; substitutes.

SECT. 3. It shall be the duty of the county solicitor in each county to have immediate charge of all such prosecutions. But, if the attorney-general is of the opinion that the public good requires a substitute for the solicitor in any prosecution in any county, or that the service of more than one attorney is required in the prosecution of such offenses, he may employ and assign the solicitor of another county for such duty.

Complaints, how made; charge of delinquency against solicitor.

SECT. 4. Prosecuting agents for towns, selectmen of towns and reputable citizens may make complaint in writing to the county solicitor and give information as to alleged violation of the liquor laws in no-license territory. The party complaining shall at the time of making such complaint, furnish a copy thereof to the attorney-general and all complaints so made shall be treated as confidential communications. It shall thereupon be the duty of the attorney-general through a solicitor to investigate the complaint, and if such solicitor finds sufficient cause for a prosecution, he shall forthwith commence appropriate criminal proceedings and prosecute the same to final judgment. If in the opinion of any reputable citizen the solicitor of the county in which the offense occurs shall be guilty of any unreasonable delay or neglect, any unreasonable refusal to prosecute, any collusion with alleged offenders, any corrupt practices or wilful maladministration in respect to the duties prescribed by this act, or in respect to the duties to which he may have been assigned under the provisions of this act or other maladministration in his office in respect to the enforcement or non-enforcement of the liquor laws in no-license territory, a representation of the facts may be made to the attorney-general in writing by any person having knowledge or information thereof, and such representation shall be held confidential.

County solicitor not to be attorney for liquor dealer.

SECT. 5. No county solicitor shall be an attorney, or act, as attorney or counsel, directly or indirectly, for any person applying to the state board of license commissioners for a license to sell intoxicating liquors, nor for any party defendant in any hearings before said commissioners for the alleged violation of the laws of the state in relation to the sale of intoxicating liquors; nor shall any county solicitor be or act as counsel, directly or indirectly, for any person, association or corporation in any matter or proceeding directly or indirectly, relating to the traffic in intoxicating liquor or to violation of law concerning the sale or disposition thereof.

Attorney-general to proceed against delinquent solicitor.

SECT. 6. Upon the receipt of the representation named in section 4, the attorney-general shall forthwith investigate the same, and if it appears to be well founded, he shall proceed against such delinquent solicitor by complaint to the superior court, and if upon said complaint such solicitor shall be found guilty of a breach of his duty as defined and provided in this act or any other existing law or acts, he may be disbarred or removed from his office.

Special compensation of solicitors.

SECT. 7. The compensation of a county solicitor when engaged upon assignments for the enforcement of the liquor laws in no-license territory, at other times and places than when such solicitor is engaged in the business of his office in term time in the superior court, relating to prosecutions of offenses against the liquor laws arising in no-license territory, or the conduct of civil proceedings under the act of March 27, 1903, shall be ten dollars per day and his actual expenses, to be audited by a justice of the superior court, unless such duty shall be assigned by said justice to the clerk of said court. The compensation provided by this act for services hereby required shall be in addition to the salaries now provided by law. In all cases it shall be paid by the county in which the offense arises.

Compensation of substitutes.

SECT. 8. The solicitor employed or assigned by the direction of the attorney-general in the prosecution of offenses against the liquor laws in no-license territory, shall make an account of the time so spent and the actual expenses incurred in such manner as to show where the services were rendered, the amount of time taken in such service at each place, and the cases to which the services and expenses related. A copy of the account with an affidavit stating that the services were actually rendered at the times and places, in the cases and for the purposes stated, that they were done and incurred in good faith in the public business, and exclusively in the business of enforcing the liquor laws, shall be forwarded to the attorney-general at the end of each month. No payments shall be made to any such solicitor for services authorized by this act, other than services during the time of the terms of the superior court, unless statements of his account shall have been filed as aforesaid.

Sheriffs and deputies to investigate.

SECT. 9. Sheriffs and deputy sheriffs may be required to investigate persons and places which are the subject of complaint, under the direction of the attorney-general, or a county solicitor, and to advise such law officer as to the result of the examination. Sheriffs and deputy sheriffs performing the services above specified shall have the same allowance as now provided for attendance upon the terms of the superior court, and such allowance for extraordinary expenses as may be approved and allowed by either of the law officers aforesaid.

Actions on bonds of licensees, etc.

SECT. 10. Actions for the enforcement of bonds given by licensees under the act of March 27, 1903 and the amendments thereto, and for the recovery of sums due the state on account of forfeitures of such bonds, shall be brought in the name of the state by the attorney-general and shall be made returnable at such terms of the superior court in any county in the state as the attorney-general may select and designate. All sums of money collected under the provisions of this section shall be paid to the treasurer of the state board of license commissioners to be accounted for in the same manner as money paid for license fees.

Duty of public officers under prior acts not affected.

SECT. 11. Nothing in this act shall be so construed as to relieve any officer from any duties required by existing law as to investigations and prosecutions for violations of criminal laws relating to illegal sales of intoxicating liquors, nor to deprive other persons of the right to institute and carry on prosecutions of offenses against such laws in cases where that right is recognized by existing law.

Attorney-general may employ clerical assistance.

SECT. 12. The attorney-general may employ such clerical assistance, not exceeding in amount one thousand two hundred dollars in any year as he may find necessary in enforcing the provisions of this act.

Takes effect May 1, 1905; repealing clause.

SECT. 13. This act shall take effect upon the first day of May, 1905, and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

[Approved March 10, 1905.]

CHAPTER 118.

AN ACT TO PREVENT THE FRAUDULENT SALE OF MAPLE SUGAR AND CIDER VINEGAR.

SECTION
1. Sale of bogus maple sap products prohibited.
2. Sale of bogus cider vinegar prohibited.
3. Prohibited products not to be kept for sale.
4. Penalty for violations.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Sale of bogus maple sap products prohibited.

SECTION 1. No person shall sell, expose for sale, exchange, barter or deal in any article as and for maple sugar, maple candy or maple syrup unless the same shall be sugar, candy or syrup made solely from the sap of the maple tree.

Sale of bogus cider vinegar prohibited.

SECT. 2. No person shall sell or expose for sale, exchange, barter or deal in any article as and for cider vinegar unless the same shall be vinegar made solely from cider made of apples

and shall have an acidity equal to the presence of not less than four per cent., by weight, of absolute acetic acid, and shall contain not less than one and six tenths, by weight, of apple solids.

SECT. 3. No person shall have in his possession for sale, exchange or barter any article which is not maple sugar, maple candy or maple syrup, or which is not cider vinegar, as those articles are defined in the two preceding sections, which is labeled, marked or represented to be maple sugar, maple candy, maple syrup, or cider vinegar. Prohibited products not to be kept for sale

SECT. 4. Any person who shall violate any provision of the three preceding sections shall be fined not less than ten dollars nor more than fifty dollars. Penalty for violations.

SECT. 5. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 119.

AN ACT TO CREATE A BRIDGE COMMISSION.

SECTION
1. Commission created; duties.
2. Governor to appoint members.
3. Tenure of office and compensation.
4. Expenses of commission, how paid.
5. Report to legislature of 1907.
6. Provisional coöperation with Maine commission.
7. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. A bridge commission consisting of three members is hereby created to act in conjunction with a like commission appointed by the State of Vermont whose duty it shall be to consider all questions relating to the freeing of all toll bridges between the State of New Hampshire and the State of Vermont, and shall ascertain the cost of freeing such bridges, number of the same and where located. They shall also ascertain the number of free bridges, cost of same, amount paid by towns in New Hampshire to free the same, and where located. It shall be their duty also to ascertain where new bridges, if any, shall be built to best accommodate the general public of New Hampshire and cost of same. They shall also decide what shall be the equitable division of the cost of such bridges and their maintenance, as divided between the states of New Hampshire and Vermont. Commission created; duties.

SECT. 2. It shall be the duty of the governor to appoint the members of such bridge commission within sixty days from the time of passage of this act, and to notify the governor of Vermont of their appointment. Appointed by governor.

Tenure of office and compensation.

SECT. 3. Members of such bridge commission shall hold office for two years, and shall receive as compensation for their services three dollars per diem and expenses while in the actual performance of such duty.

Expenses of commission.

SECT. 4. The governor is hereby authorized to draw his order on the state treasurer for such sums as may be required to pay expenses of such commission, and the treasurer shall pay the same when countersigned by the governor.

Report.

SECT. 5. The bridge commission hereby created shall make a full report on all points mentioned in this act, and any other matter considered by them to have a bearing on the subject, to the legislature of 1907.

Coöperation with Maine commission.

SECT. 6. In the event that the State of Maine, before the first day of January, 1907, shall appoint a similar commission, it shall be the duty of the commission appointed under this act to consider all questions relative to the freeing of all toll bridges between the State of New Hampshire and the State of Maine, and it shall ascertain the cost of freeing such bridges, the number of the same and where located, and report to the next legislature. It shall also decide on an equitable apportionment of the cost of freeing such bridges and their maintenance between said State of New Hampshire and said State of Maine, if such apportionment is deemed advisable.

Takes effect on passage.

SECT. 7. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 120.

AN ACT TO PROVIDE FOR PURCHASING SUPPLIES FOR STATE INSTITUTIONS BY COMPETITIVE BIDS IN THE OPEN MARKET.

SECTION		SECTION	
1.	Supplies to be purchased on competitive bids.	2.	Unforeseen emergency excepted.
		3.	Penalty for violation.

Be it enacted by the Senate and House of Representatives in General Court convened:

Supplies to be purchased on competitive bids.

SECTION 1. In the purchase of supplies for all state institutions competitive bids in the open market shall be required after April 1, 1905, in accordance with such rules and regulations as the governor and council shall prescribe. No bills for supplies furnished to state institutions shall be approved by the governor and council, or paid by the state treasurer or by an agent of the state authorized to extend [expend] its funds for these institutions unless the bills were contracted in accordance with the provisions of this act.

SECT. 2. The governor and council may, in cases where unforeseen emergency requires immediate purchase, authorize purchases under the rules and regulations prescribed in section 1. Unforeseen emergency excepted.

SECT. 3. Any person violating the provisions of this act shall be subject to a fine of not less than one hundred dollars nor more than two hundred dollars. Penalty for violation.

[Approved March 10, 1905.]

CHAPTER 121.

JOINT RESOLUTION IN FAVOR OF THE WIDOW OF THE LATE ROBERT F. MURRAY OF WARD 5, MANCHESTER.

Payment of salary and mileage to widow.

Resolved by the Senate and House of Representatives in General Court convened:

That the state treasurer be and hereby is authorized to pay to the widow of the late Robert F. Murray of Manchester the full salary and mileage due him as a member of the house of representatives. Payment authorized.

[Approved February 22, 1905.]

CHAPTER 122.

JOINT RESOLUTION IN FAVOR OF THE ESTABLISHMENT OF A NATIONAL FOREST RESERVE IN THE WHITE MOUNTAIN REGION.

Preamble; National Forest Reserve approved.

WHEREAS, the legislature of this state at its session in 1903 did approve of the establishment of a national forest reserve in the White Mountain region, and did give the consent of the state to the acquisition by the United States of such lands in said locality as may in the opinion of the federal government be necessary for such establishment, and did yield to the United States all necessary jurisdiction over the territory thus acquired and, Preamble.

WHEREAS, there is now pending in the senate of the United States a bill, which has been favorably reported by its appropriate committee, providing for the acquirement by the United States of the lands in said region deemed appropriate for such use, therefore, be it

Resolved by the Senate and House of Representatives in General Court convened,

National Forest Reserve approved.

That the legislature of the State of New Hampshire hereby approves and ratifies the joint resolution known as chapter 137 of the session Laws of 1903, in regard to the establishment of a national forest reserve in the White Mountain region;

That the State of New Hampshire will coöperate with the federal government in the accomplishment of the purposes proposed by said bill now pending in congress and favors its early enactment;

That our senators and representatives in congress be requested to favor said proposed legislation and to use all honorable means to secure prompt and favorable action thereon.

[Approved February 28, 1905.]

CHAPTER 123.

JOINT RESOLUTION IN FAVOR OF WARREN W. LOVEJOY AND OTHERS.

Allowances to sundry persons.

Resolved by the Senate and House of Representatives in General Court convened:

Allowances to sundry persons.

That Warren W. Lovejoy and Hiram E. Currier be allowed the sum of $35.00 each; that Horatio W. Longa be allowed the sum of $16.00; that Charles S. Ford be allowed the sum of $25.00; that Edwin P. Hunt be allowed the sum of $22.00; that Donald P. Upton be allowed the sum of $16.00; that Earl C. Gordon be allowed the sum of $19.12 that Herbert A. McElwain be allowed the sum of $24.60 in full for their services rendered at the organization of the present house.

[Approved March 8, 1905.]

CHAPTER 124.

JOINT RESOLUTION IN FAVOR OF ALBERT B. WOODWORTH AND OTHERS.

Preamble; allowances to Louisiana Purchase Exposition Commissioners.

WHEREAS, Albert B. Woodworth, J. Adam Graf, Samuel C. Eastman, Winston Churchill and Orton B. Brown were appointed by the governor and council, commissioners for the Louisiana Purchase Exposition, and, Preamble.

WHEREAS, in the discharge of the duties imposed by said appointment, they made certain expenditures for expenses, therefore be it

Resolved by the Senate and House of Representatives in General Court convened:

That the governor and council are hereby authorized to allow their accounts for the money expended by them in the discharge of their duties and a sum not exceeding one hundred and fifty dollars is hereby appropriated therefor and the governor is hereby authorized to draw his warrant for the sum allowed out of any money in the treasury, not otherwise appropriated. Allowances to Louisiana Purchase Exposition Commissioners.

[Approved March 8, 1905.]

CHAPTER 125.

JOINT RESOLUTION IN FAVOR OF A. C. KENNETT FOR MONEY ADVANCED TO THE SCHOOL FOR FEEBLE-MINDED [CHILDREN].

Appropriation of $1,025.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of ten hundred and twenty-five dollars ($1,025) be and hereby is appropriated to reimburse and pay A. C. Kennett of Conway for money advanced by him to the School for Feeble-minded [Children] to meet its actual necessities and requirements after the loss of the buildings by fire, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated. Appropriation of $1,025.

[Approved March 8, 1905.]

CHAPTER 126.

JOINT RESOLUTION APPROPRIATING MONEY TO AID DARTMOUTH COLLEGE IN THE EDUCATION OF NEW HAMPSHIRE STUDENTS.

Preamble; annual appropriation of $20,000.

Preamble. WHEREAS, in the education of New Hampshire students, Dartmouth College is annually expending more than twenty-five thousand dollars, above all amounts received for tuition or from grants by the state or its citizens, and the policy of aiding the college in its educational work by annual appropriations has become definitely established by the state,

Resolved by the Senate and House of Representatives in General Court convened:

Annual appropriation of $20,000. That in recognition of the eminent service rendered by Dartmouth College in the cause of higher education and for the general advancement of learning, the sum of twenty thousand dollars shall be appropriated and paid out of the state treasury to the trustees of Dartmouth College, on the warrant of the governor, on the first day of September each year for a period of two years next after the passage of this resolution, for use by said college in its educational work.

[Approved March 9, 1905.]

CHAPTER 127.

JOINT RESOLUTION APPROPRIATING TWELVE THOUSAND DOLLARS TO REPAIR AND BUILD ADDITION TO STATE NORMAL SCHOOL DORMITORY.

Appropriation of $12,000.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation of $12,000. That the sum of twelve thousand dollars be, and the same is, hereby appropriated for the purpose of erecting and furnishing an addition to the State Normal School dormitory building and to provide suitable stand-pipes and hose therein for the protection of said building from fire, the same to be expended under the direction of the governor and council. The plans and specifications for such addition shall be subject to the approval of the governor and council and the work, when completed, shall be subject to their acceptance; and the governor is hereby authorized to draw his warrant for the expense thereof and of suitable furniture therefor from any money in the treasury not otherwise appropriated.

[Approved March 10, 1905.]

CHAPTER 128.

JOINT RESOLUTION IN RELATION TO THE ADMINISTRATION OF THE STATE PRISON AND TO PROVIDE FOR NECESSARY IMPROVEMENTS AND REPAIRS.

Insufficiency in income, how met; appropriations for chaplain, library, and improvements and repairs.

Resolved by the Senate and House of Representatives in General Court convened:

That in case the income of the State Prison should at any time be insufficient to meet the current expenses, the governor is hereby authorized to draw his warrant on the treasury, from time to time, to provide for such deficiency, out of any moneys in the treasury not otherwise appropriated; that the sum of eight hundred dollars annually, for the ensuing two years, be and hereby is appropriated for the payment of the salary of the chaplain of the State Prison; that the further sum of two hundred dollars annually be and the same is hereby appropriated for the benefit of the State Prison library for the ensuing two years; that the further sum of ten thousand dollars be and the same is hereby appropriated for improvements and repairs of the prison buildings, the same to be expended under the direction of the governor and council; and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated. Insufficiency in income, how met; sundry appropriations.

[Approved March 10, 1905.]

CHAPTER 129.

JOINT RESOLUTION IN FAVOR OF PLACING AND MAINTAINING BUOYS AND LIGHTS IN LAKE WINNIPESAUKEE AND ADJACENT WATERS, IN SQUAM LAKE AND LAKE SUNAPEE, AND ALSO FOR LIGHTING THE LIGHTHOUSE AND FOR OTHER PURPOSES IN LAKE SUNAPEE.

Annual appropriation of $1,100 for Lake Winnipesaukee, $200 for Squam lake, and $300 for Sunapee lake.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of eleven hundred dollars be and hereby is appropriated annually for placing and maintaining buoys and lights in Lake Winnipesaukee and adjacent waters: that the sum of two hundred dollars be and hereby is appropriated annually for placing and maintaining buoys and lights in Squam lake: that the sum of three hundred dollars be and Annual appropriations aggregating $1,600.

hereby is appropriated annually for lighting the lighthouse on Loon island in Sunapee lake by electricity, for repairing and maintaining the cable connected therewith, for improving the light service, for placing and maintaining buoys on said lake, and for removing obstructions to navigation therein;—each of said sums to be expended by an agent or agents, appointed by the governor with the consent of his council; and the governor is hereby authorized to draw his warrant for the said sums out of any money in the treasury not otherwise appropriated. Any unexpended balance in any year or years, of either of said sums, may be drawn and expended in any succeeding year or years, by said agents for the purposes designated, when needed.

[Approved March 10, 1905.]

CHAPTER 130.

JOINT RESOLUTION IN FAVOR OF THE NEW HAMPSHIRE SCHOOL FOR FEEBLE-MINDED CHILDREN.

Appropriation of $32,500.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation of $32,500.

That the sum of twenty-five thousand dollars be and hereby is appropriated for the erection and furnishings of a building to be used for dormitory purposes, and for remodeling the "Frank Crockett house," so called, now upon the premises; that twenty-five hundred dollars be appropriated to provide a suitable place for the storage of water and for all necessary piping in connection therewith; and that the sum of five thousand dollars be appropriated for a boiler house and the necessary piping connections. The governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 10, 1905.]

CHAPTER 131.

JOINT RESOLUTION IN FAVOR OF THE GRANITE STATE DAIRYMEN'S ASSOCIATION.

Annual appropriation of $200.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of two hundred dollars is annually appropriated for the ensuing two years to the Granite State Dairymen's Association to be used in promoting dairying in the state, in addition to the amount provided for by chapter 12 of the Public Statutes. The association shall, in the month of December in each year, render to the governor and council an itemized account of the uses to which the appropriation of the year has been applied. Annual appropriation of $200.

[Approved March 10, 1905.]

CHAPTER 132.

JOINT RESOLUTION IN FAVOR OF THE INDUSTRIAL SCHOOL.

Appropriation of $20,000.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of twenty thousand dollars ($20,000) be and hereby is appropriated to the Industrial School for the purpose of building barns, silo and ice-house and the purchase of stock, farm implements and harnesses and wagons, the same to be expended by the trustees of the Industrial School, all bills, however, to be audited and approved by the governor and council; and that the governor be and hereby is authorized to draw his warrant for said sum, or so much thereof as may be necessary for said purposes, out of any money in the treasury not otherwise appropriated. This joint resolution shall take take effect upon its passage. Appropriation of $20,000.

[Approved March 10, 1905.]

CHAPTER 133.

JOINT RESOLUTION IN FAVOR OF JAMES RICHARD CARTER TO REIMBURSE HIM FOR MONEY PAID OUT TOWARDS THE RECONSTRUCTION OF THE STATE HIGHWAY, KNOWN AS THE "JEFFERSON NOTCH ROAD."

Appropriation of $1,335.95.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation of $1,335.95.

That the sum of thirteen hundred and thirty-five dollars and ninety-five cents ($1,335.95) be and hereby is appropriated to reimburse James Richard Carter for money paid by him towards the reconstruction of the state highway, known as the "Jefferson Notch road," in Coös county in the summer and fall of the year one thousand nine hundred and three; and that the governor be and hereby is authorized to draw his warrant for that sum out of any money appropriated by an act approved Feb. 25, 1905, and entitled "An act to provide for state aid and for the expenditures of other public moneys in the permanent improvement of main highways throughout the state."

[Approved March 10, 1905.]

CHAPTER 134.

JOINT RESOLUTION IN FAVOR OF THE NEW HAMPSHIRE SCHOOL FOR FEEBLE-MINDED CHILDREN, TO PROVIDE FOR THE MAINTENANCE THEREOF.

Annual appropriation of $16,000.

Resolved by the Senate and House of Representatives in General Court convened:

Annual appropriation of $16,000.

That the sum of sixteen thousand dollars be and hereby is appropriated for each of the years 1905 and 1906, for the maintenance of the New Hampshire School for Feeble-Minded Children. The governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 10, 1905.]

CHAPTER 135.

JOINT RESOLUTION IN FAVOR OF THE MOUNT PLEASANT HOTEL COMPANY TO REIMBURSE IT FOR MONEY PAID OUT TOWARDS THE EXPENSE OF THE RECONSTRUCTION OF THE STATE HIGHWAY, KNOWN AS THE "JEFFERSON NOTCH ROAD."

Appropriation of $1,257.57.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of one thousand two hundred and fifty-seven dollars and fifty-seven cents ($1,257.57) be and hereby is appropriated to reimburse the Mount Pleasant Hotel Company for money paid by it towards the expense of the reconstruction of the state highway known as the "Jefferson Notch road," in Coös county, in the summer and fall of the year one thousand nine hundred and three (1903); and that the governor be and hereby is authorized to draw his warrant for that sum out of any money, appropriated by an act approved February 25, 1905, and entitled, "An act to provide for state aid and for the expenditures of other public moneys in the permanent improvement of main highways throughout the state." Appropriation of $1,257.57.

[Approved March 10, 1905.]

CHAPTER 136.

JOINT RESOLUTION IN FAVOR OF ORTON W. BROWN, TO REIMBURSE HIM FOR MONEY PAID OUT TOWARDS THE RECONSTRUCTION OF THE STATE HIGHWAY KNOWN AS THE "JEFFERSON NOTCH ROAD."

Appropriation of $856.24.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of eight hundred and fifty-six dollars and twenty-four cents ($856.24) be and hereby is appropriated to reimburse Orton W. Brown for money paid by him towards the reconstruction of the state highway, known as the "Jefferson Notch road," in Coös county, in the summer and fall of the year one thousand nine hundred and three; and that the governor be and hereby is authorized to draw his warrant for that sum out of any money appropriated by an act approved February 25, 1905, and entitled "An act to provide for state aid and for the expenditures of other public moneys in the permanent improvement of main highways throughout the state." Appropriation of $856.24.

[Approved March 10, 1905.]

CHAPTER 137.

JOINT RESOLUTION IN FAVOR OF GREEN'S BASIN IN LAKE WINNIPESAUKEE.

Appropriation of $100.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation of $100.

That a sum not exceeding one hundred dollars be and hereby is appropriated for the purpose of completing the work of removing boulders situate in the channel of Basin narrows, in Green's basin (so called) in Lake Winnipesaukee. Said sum to be expended under the direction of an agent appointed by the governor with the advice of his council, and the governor is hereby authorized to draw his warrant therefor out of any money in the treasury not otherwise appropriated.

[Approved March 10, 1905.]

CHAPTER 138.

JOINT RESOLUTION PROVIDING FOR AN APPROPRIATION TO WIDEN AND DEEPEN STONE DAM NARROWS, SO CALLED IN LAKE WINNIPESAUKEE IN THE COUNTY OF BELKNAP.

Appropriation of $100.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation of $100.

That the sum of one hundred dollars be, and the same is hereby appropriated for the purpose of widening and deepening the channel between Stone Dam island and Meredith neck, known as Stone Dam narrows in Lake Winnipesaukee, in the county of Belknap, said sum to be expended under the direction of an agent to be appointed by the governor and council, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

[Approved March 10, 1905.]

CHAPTER 139.

JOINT RESOLUTION IN FAVOR OF THE GRANITE STATE DEAF MUTE MISSION.

Annual appropriation of $150.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of one hundred and fifty dollars annually be appropriated for the use of the Granite State Deaf Mute Mission during the coming two years and the governor is hereby authorized to draw his warrant for the same from the money appropriated for the support and education of indigent deaf and dumb persons of this state, under chapter 86 of the Public Statutes entitled "State aid to indigent deaf and dumb, blind and feeble-minded persons." Annual appropriation of $150.

[Approved March 10, 1905.]

CHAPTER 140.

JOINT RESOLUTION IN FAVOR OF NEW HAMPSHIRE SOLDIERS' HOME.

Appropriation of $25,000.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of twenty-five thousand dollars ($25,000) is hereby appropriated out of any money in the treasury not otherwise appropriated, for the support and maintenance of the New Hampshire Soldiers' Home and the members thereof from the first day of January 1905 to the assembling of the legislature in 1907, in addition to such sums as the state may be entitled to receive from the general government in aid of the support of disabled soldiers and sailors during or for said period, and which the state treasurer is hereby authorized to receive and receipt for. The sums so appropriated shall be known as the soldiers' home fund, and shall be subject to the order of the state board of managers, and be drawn upon orders signed by the secretary and countersigned by the governor as provided in the act establishing said home. Appropriation of $25,000.

[Approved March 10, 1905.]

CHAPTER 141.

JOINT RESOLUTION IN FAVOR OF PLACING AND MAINTAINING LIGHTS IN LAKE WINNISQUAM.

Appropriation of $200.

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation of $200.

That the sum of two hundred dollars be and hereby is appropriated for establishing and maintaining an electric light or lights in said Lake Winnisquam at or near the entrance of the Winnipesaukee river. Said sum to be expended for the years 1905 and 1906 and by an agent appointed by the governor with the consent of his council. And the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 10, 1905.]

CHAPTER 142.

JOINT RESOLUTION IN FAVOR OF THE NEW HAMPSHIRE SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION.

Preamble; appropriation of $2,000.

Preamble.

WHEREAS, the Daughters of the American Revolution, a patriotic organization of the nation, are about to erect in the city of Washington in the District of Columbia, a building to be dedicated to and used for the patriotic purposes of that society, and

WHEREAS, it is proposed that each of the thirteen original states donate a column for said building to bear the coat of arms of the state donating the column, and,

WHEREAS, the State of New Hampshire wishes to show its appreciation of the noble purposes and good work of the Daughters of the American Revolution and to encourage patriotism, and reverence for law and order and to promote self-government throughout the world; therefore

Resolved by the Senate and House of Representatives in General Court convened:

Appropriation of $2,000.

That the sum of two thousand dollars be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated to defray the expense of a column in

said building to represent the State of New Hampshire and to bear its coat of arms; and the governor is hereby authorized to draw his warrant for so much thereof as may be necessary, in favor of the state regent of the Daughters of the American Revolution for New Hampshire for the purpose aforesaid, *provided* that no money shall be expended under this act until at least six other states shall have provided for similar columns.

[Approved March 10, 1905.]

CHAPTER 143.

JOINT RESOLUTION IN FAVOR OF CHANNING FOLSOM OF DOVER, N. H., TO COMPENSATE HIM FOR SERVICE RENDERED AS SUPERINTENDENT OF PUBLIC INSTRUCTION FROM SEPTEMBER 6, 1904, TO OCTOBER 25, 1904.

Payment of $250 directed.

Resolved by the Senate and House of Representatives in General Court convened:

That the sum of two hundred and fifty dollars be paid to Channing Folsom of Dover, N. H., to compensate him for services rendered as superintendent of public instruction from September 6, 1904 to October 25. 1904, out of any money in the treasury not otherwise appropriated, and the governor is hereby authorized to draw his warrant therefor. Payment of $250 directed.

[Approved March 10, 1905.]

CHAPTER 144.

JOINT RESOLUTION TO PROVIDE FOR THE COMPLETION OF THE FOREST SURVEY OF THE STATE.

Unexpended balance of former appropriation to be used.

Resolved by the Senate and House of Representatives in General Court convened:

That the unexpended balance of the sum appropriated by chapter 139, Laws of 1903, be and hereby is placed at the disposal of the forestry commission for use in the completion of the forest survey of the state, and the governor is hereby authorized to draw his warrant for the same. Unexpended balance to be used.

[Approved March 10, 1905.]

CHAPTER 145.

JOINT RESOLUTION IN FAVOR OF HARRY S. YEATON OF NEWCASTLE.

Allowance of $50.

Resolved by the Senate and House of Representatives in General Court convened:

Allowance of $50.

That Harry S. Yeaton of Newcastle be allowed the sum of $50.00 for expense incurred in maintaining his right to a seat in this house, and the governor is hereby authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

[Approved March 10, 1905.]

CHAPTER 146.

JOINT RESOLUTION FOR AN APPROPRIATION FOR THE BENEFIT OF THE NEW HAMPSHIRE COLLEGE OF AGRICULTURE AND THE MECHANIC ARTS.

Annual appropriation of $10,000; appropriations of $5,500 and $25,000.

Be it Resolved by the Senate and House of Representatives in General Court convened:

That the following sums be and hereby are appropriated for the benefit of the New Hampshire College of Agriculture and the Mechanic Arts for the purposes hereinafter specified:

Annual appropriation of $10,000.

(1) Ten thousand dollars ($10,000) annually for a period of two years for the use of said college to be expended for the two-years course in agriculture and general expenses.

Appropriation of $5,500.

(2) The sum of fifty-five hundred dollars ($5,500) toward the purchase of the president's residence built by Walter M. Parker on the site of the old president's house.

Appropriation of $25,000.

(3) The sum of twenty-five thousand dollars ($25,000) to be expended in erecting and equipping a building to provide for military drill; the storage of government military supplies and accoutrements; class room and office for the professor of military science, and locker rooms for students taking gymnasium work.

[Approved March 10, 1905.]

CHAPTER 147.

JOINT RESOLUTION IN FAVOR OF JOHN K. LAW AND OTHERS.

Allowances to sundry persons.

Resolved by the Senate and House of Representatives in General Court convened:

Allowances to sundry persons.

That John K. Law and William H. Weston be allowed the sum of $268.00 each; that the Rev. Lewis W. Phillips, William W. Critchett, Morris T. Clement, John Young, George A. Rainville, Albert P. Davis, William S. Stanley, George E. Horton, George H. Brigham, Howard O. Nelson, James H. Brown, Merritt C. Huse, and Joseph A. Glennon be allowed the sum of $231.00 each; that Richard P. Burke, James A. Laughlin, Henry E. Bryant, J. Edward Bouvier, Edgar H. Calvert, and Jesse M. Wilson be allowed the sum of $132.00 each: that Harlan C. Pearson, Fred Leighton, George W. Fowler, John Edward Coffin, George Vernon Hill, Elias A. McQuaid, Henry H. Metcalf, Allan H. Robinson, I. Eugene Keeler, Cornelius E. Clifford, Harrie E. Waite, Frank M. Shackford, and John T. Lambert be allowed the sum of $100.00 each; that George E. Carter be allowed the sum of $109.41: that James Burbeck be allowed the sum of $4.60; that J. C. Derby be allowed the sum of $22.00; that Kate F. Clarke be allowed the sum of $276.00; that W. C. Gibson be allowed the sum of $27.15; that J. M. Ahern be allowed the sum of $15.00; that W. H. Dunlap & Co. be allowed the sum of $2.00; that the sum of $515.42 be allowed the Union Publishing Company; that the People & Patriot Company be allowed the sum of $53.66; that the Herald Publishing Company be allowed the sum of $2.10; that the Times Publishing Company be allowed the sum of $2.82; that A. H. Britton & Co. be allowed the sum of $39.60; that the John B. Clarke Company be allowed the sum of $545.20: that the sum of $102.87 be allowed J. M. Stewart & Sons Company; that the sum of $0.94 be allowed George J. Foster & Co.; that Edson C. Eastman be allowed the sum of $457.50; that C. H. Swain & Co. be allowed the sum of $145.85; that Robert J. Merrill be allowed the sum of $326.00; that the Monitor and Statesman be allowed the sum of $486.10; that Matthews & Sawyer be allowed the sum of $32.50; that Amos Dodge be allowed the sum of $268.00; that Bent & Bush be allowed the sum of $25.00; that George C. Gilmore be allowed the sum of $41.25; that H. O. Mathews be allowed the sum of $5.00; that the Star Stamp Co. be allowed the sum of $3.10; that Ursula Bradley and Katherine Clancy be allowed the sum of $276.00 each; that Mildred B. Clark be allowed the sum of $25.00;

that Louis A. Thorp and James M. Cooper be allowed the sum of $200.00 each; that Harrie M. Young and Martin Fitzpatrick be allowed the sum of $100.00 each; that Jesse M. Libby be allowed the sum of $4.20 and Ernest C. Currier be allowed the sum of $2.50, for mileage; that Mary T. Langmaid be allowed the sum of $100.00; that Adelaide Morrison be allowed the sum of $75.00; that William H. Laws and Henry G. Durrell be allowed the sum of $100.00 each; that Edward N. Nason be allowed the sum of $300.00; that Horace L. Ingalls, John W. Lowry and Samuel A. Clay be allowed the sum of $200.00 each; that Walter L. Jenks & Co. be allowed the sum of twenty-five dollars and seventy-six cents ($25.76); that Matthews & Sawyer be allowed the sum of ninety dollars ($90); that the sum of five hundred dollars ($500) in addition to the regular standing appropriation be and the same is hereby appropriated for the contingent expenses of the governor and council for each of the years 1905 and 1906.

[Approved March 10, 1905.]

CHAPTER 148.

NAMES CHANGED.

Names changed.

From January, 1903, to January, 1905, the Registers of Probate have returned to the Secretary of State the following changes of names:

Rockingham.

ROCKINGHAM COUNTY.—Robert Joshua Ramsbottom to Robert W. Ramsdell; Martha Jane Ramsbottom to Martha Jane Ramsdell; Charles Franklin Ramsbottom to Charles Franklin Ramsdell; Joseph Howard Ramsbottom to Joseph Howard Ramsdell; Robert Wylie Ramsbottom to Robert Wylie Ramsdell; Irving Joshua Ramsbottom to Irving Joshua Ramsdell; John Edward Ramsbottom to John Edward Ramsdell; Everett Louis Ramsbottom to Everett Louis Ramsdell; Gertrude Martha Ramsbottom to Gertrude Martha Ramsdell; Sarah D. Hoitt to Sarah D. Paul; Addie L. Swinerton to Addie L. Peverly; Laura Wood to Laura May Robinson (adoption); Blanche H. Meserve to Blanche N. True (adoption); Agnes Fouchon to Helen Virginia Corning (adoption); Harriet E. Gage to Harriet E. Roach; Florence Edith Hudson to Florence Edith Nichols; Sylvia E. Hudson to Sylvia E. Nichols; Hattie M. Hartford to Hattie M. Rollins; William Ford to William Ford Chapman; Fannie P. Wendell to Frances P. Wendell; Louisa Blanchette to Louisa Eva Bois-

vert (adoption); Mary Catherine Cronin to Mary Alice Kironac; Atta I. Cram to Atta Cram Fitts (adoption); Esther W. Austin to Esther B. Warner; Jennie Wood Perkins to Jane Wood Perkins; Clifton Russell to Charles Clifton Russell; Kenneth Russell to Kenneth Samuel Russell; Emma M. Bates to Emma M. Gay; Annie E. Rand to Annie Rand Jenness (adoption); Marjorie Roberts to Marjorie Frances Brackett (adoption); Lillian B. Sanborn to Lillian Bell Robbins (adoption); Laura E. Goodwin to Laura E. Ramsdell (adoption); Dorothy H. Whitehouse to Dorothy Hazel Berry (adoption); Mary Jane Pierce to Mary Pierce Chapman; May Appleton Taylor to May Edith Appleton; Marion G. Nealey to Marion G. Merrill; Lila Nason to Lila Hunt; John William Bassett to John William Peaslee; Ethel M. Phillips to Ethel M. Bickford; Flossie T. Brown to Florence B. Noyes (adoption); Maude A. Micklewright to Maud A. Gage; Mattie N. H. Kingsbury to Mattie N. Hutchinson; Otis E. Flint to Arthur George Blackman (adoption); Frank Louis Smith to Frank Louis Thomas; Agnes B. Prescott to Thelma Young (adoption); Elizabeth Maria Howard Smith to Elisabeth Fuller Smith; Mabel Bennett to Mae Belle Whitney (adoption); Oscar Ehrlich to Oscar Eldredge; William H. Greenway to Fred Greenway Dalton (adoption).

Strafford.

STRAFFORD COUNTY.—Grace Greenwood Coleman to Grace Greenwood Sterling; Gertrude L. Tanner to Gertrude L. T. Wilkinson; Edith McWhinney to Edith Bell; Grace L. Boyd to Grace L. Avery; Julia S. McDonald to Julia S. Shapleigh; Alice Asenath Nye to Alice Asenath Hamblet; Mercy Clara Manzera to Mercy Clara Warburton; Thomas Brown to Thomas Haggerty; Sarah R. Chase to Sarah R. French; Clara O. Whalley to Clara Otilia Becker; Lilla M. Watson to Lilla M. Keay; Frances Eaton to Erma Edna Small; Mary Elizabeth Nealley to Mary Elizabeth Weare; Lavenia E. Jenness to Lavenia E. Newcomb; Ruth Young to Ruth Estelle Clough; William Pearl Guy to Pearl Guy Clough; Martha Washington Horr to Martha Plumer Horr; Edna L. Leighton to Edna L. French.

Belknap.

BELKNAP COUNTY.—Augustus S. Owen to Stanton Owen; Nellie Maud McIntire to Nellie Maud Huckins; Myrtie Glenina Rand to Myrtie Glenina Crooker; Annie J. Heath to Annie J. Swain; Florence Maud Bean to Florence Maud Parshley; Joseph Alexander Theberge to Joseph Trombley; Lucy M. Perkins to Lucy M. Sargent; Harry W. Gross to Harry W. Laprise; Betsey J. Kennie to Betsey J. Parnell; Isabel A. Huntoon to Isabel A. Spiller; Mabel M. Piper to Mabel M. Hubbard; Frances R. Ranlet to Frances R. Robinson; Clarence Stone to Clarence Vallee; Grace P. Weeks to Grace P. Kimball; Nancy J. Wilkinson to Alice J. Wilkinson; Ellen L. Campbell to Ellen L. Davis; John Henry B. Clow to

Henry B. Clow; Harold Jesse Huckins to Harold Stephen Huckins; George LaBelle to Samuel Lawrence Leavitt; Herbert Freeman LaFleur to Herbert Freeman LaFleur; James Leroy LaFleur to James Leroy LaFleur; Bessie Black to Blanche Allen Leavitt; Bessie M. Boylan to Bessie M. Grant; Raymond Foster Gilbert to Raymond Hayward Coone; Hollis Beede to Donald Knight Sanborn; Leon Blanchette, alias Harry Leon Guayette, to Leon Blanchette.

Carroll. CARROLL COUNTY.—Anna Stella Haines to Anna Stella King; Lucy M. Hutchins to Lucy M. Smith; Sarah J. Whitehouse to Sarah Jane Dorr; Edward Kendall to Charles Edward Sanborn; Marilla M. Abbott to Marilla M. Patten; Clara M. Staples to Clara M. Liberty; Abbie E. Brown to Abbie E. Brann; HaroldHol man Gay to Harold Holman Head; Mary J. Corson to Mary L. Canney.

Merrimack. MERRIMACK COUNTY.—Arthur C. Bronner to Arthur Coolidge Chadwick; Eilen Hewes to Pauline Frances Gibson; Donald E. Bean to Donald B. Chase; Lillian Pearl Tobyne to Lillian Pearl Blake; Carl Alfred Carlson to Harold Alfred Matthews; Raymond B. Johnson to Raymond B. Lord; Mildred Gillingham to Mildred Emerson; Eleanor Catherine Thomas to Dorothy Flanders; George Russell Bowers to Leonard Davis; Ruth Hills to Ruth Hazel Osgood; Grace M. Garland to Grace M. Rice; Harold W. Mellen to Neil Alfred Dow; Addie P. Jameson to Addie P. Nudd; Florence May Spaulding to Florence May Kenrick; Flora E. Story Tarbell to Flora Ermenie Jones; Edith May Thompson to Edith May Nevers; Bertha M. Locke to Bertha Monroe Jones; Carrie M. Huntoon to Carrie M. Sinclair; Ruth Marion Huntoon to Ruth Marion Sinclair; Ellen D. Massison to Ellen D. Trull; Eliza Miningham to Eliza James; Carl Anderson to Charles Anderson; Olive R. Bonney to Olive R. Osgood; Mary Louise Emily Foley to Mary Louise Emily Welcome; Helen Edith Verrill to Helen Edith Burbank; Daniel Livingston Howe to Daniel Weld Howe.

Hillsborough. HILLSBOROUGH COUNTY.—Elizabeth Mary Watts to Elizabeth Mary Thompson; Nina Brookhouse Wallace to Nina Brookhouse; Hattie Amelia Williams to Hattie Amelia Shaw; Charlotte L. Doherty to Charlotte L. Tasker; Aaron Golub to Aaron Brodie; Israel Sistraten to Israel Stratton; May Nichols Rowe to May Blanche Nichols; Julia A. Davison to Julia A. Bennett; Emo E. Smith to Emo E. Ruffirm; Libbie May Roberts to Libbie May Badger; Mary Eliza Vittum to Mary Eliza Johnson; Mindie Aldrich Buswell to Minda Aldrich Buswell; Adaline Colby to Adaline Morrison; James Pettipaw to James Norton; Annie Crawford to Anna Nicholl; Katie Evangeline Wilder to Katherine Evangeline Wilder; Alice J. Adams to Alice Janette Stearns; Rose Hossell to Rose Calwar; Mary E. Loomis to Mary E. Donaghey; Cora

B. Trumbel to Cora B. Russell; Georgina M. Brennan to Georgina M. Harwood; Arvilla R. Mills to Arvilla Rebecca Satterly; Levena J. Greer to Levena J. Blondin; Florence E. Jones to Florence E. Loverin; Emma M. White to Emma M. Cotton; Abraham Selig Ratkowsky to Abraham Selig Rich; Mederic Thomas Gerin-Lajoie to Mederic Thomas de Gerin; Herman Pipig to Herman Wilhelm Webster; Lillian Adams Wadleigh to Lillian Maude Adams; Nellie B. Moore to Nellie B. Munson; Sarah F. Green to Sarah E. Dane; Charles Moy to K. Movsesian; Mabel A. Gonyeau to Mabel A. Clough; Sadie K. Spalding to Sadie K. Kaime; Francena Powers to Francena Hodgman; Lizzie Belle Otto to Lizzie Belle Fellows; Jennie Elizabeth Moffett to Jennie Elizabeth Damory; Bernice Hanson McKillips to Bernice Hanson; Bertha Poirier to Bertha Hebert (adoption); Margaret H. Steward to Margaret Steward Flanders (adoption); Doris Arville Cowing to Doris Arville Morse (adoption); Ethel Marion Keniston to Ethel Marion Dickey (adoption); Helen E. Smith to Helen Esther Stacey (adoption); Joseph H. Lavoie to Joseph Herbert Rodier (adoption); Harold George Stowe to Harold George Merrill (adoption); Arthur J. Wyman to Arthur J. Rogers (adoption); Edna Clara Dougherty to Edna Lemay (adoption); Royal Emerson Pratt known as Royal Emerson Lane to Royal Emerson Buss (adoption); Gladys Irene Sawyer to Gladys Irene Minard (adoption); Mary Harrington to Mary Beatrice Mackie (adoption).

Cheshire.

CHESHIRE COUNTY.—Lucy E. G. Whitney to Lucy E. Goodrich; Mary Dora Bedard to Theodora May Lavoie; Daisy I. Carley to Daisy I. Clark; Nellie M. Pierce to Nellie M. Traxler; Ruby Mason to Ruby Gearing; Clara M. Ferguson to Clara M. Read; Dorothy M. Pierce to Dorothy M. Collins; Stewart Gamiela Freeman to Stewart Freeman Faulkner; Nellie B. Marsh to Nellie B. Whittemore; Lillian M. Donovan to Lillian M. Winchester; Sarah Plummer to Sarah MacLeod; Henry Lavando to Henry Cloutier; Mabel Grace Smith to Mable Grace Fisher; Emily C. F. Blake to Emily C. Fisher; Parke Weeks Mallory to Parke Follett Weeks; Vera Minnie Putnam to Vera Minnie Butler; Grace Stone Talbot to Grace Stone.

Sullivan.

SULLIVAN COUNTY.—Nettie Clow to Nettie I. Vondel; Mabel S. Gamash to Mabel S. Bent; Ralph Emerson Leighton to Ralph Leighton Dame; Gertrude E. Marshall to Gertrude Marshall Muzzey; Clarence U. Parker to Clarence Parker Huntley; Edna Maria Smart to Edna Maria Maxham; Minnie A. Thrasher to Minnie A. Wilmot; Harriet E. Vose to Harriet E. Slack; Edward T. Wise to Edward T. White; Philip Ward to Philip Ward Robertson.

Grafton.

GRAFTON COUNTY.—Bernard T. Brown to Bernard T. Gile; Alice C. Brown to Alice Cousins; Hannah M. Brand to Han-

nah M. Wood; Dorcus A. Carlton to Dorcus A. Clark; Lena Day to Florence M. Lambert; Daisy W. Dorothy to Daisy Ellen Wheeler; Mable Hattie Gerguson to Winnie Irene Sherman; Marie E. Howe to Maria E. Bowman; Helen M. Harrigan to Helen M. Richardson; Annie Eleanor Harper to Annie Eleanor Barraby; Edith Marion Holmes to Edith Marion Carpenter; Emily Bell McLinn to Emily Bell Farnum; Carlton Rupert Patrell to Carleton Rupert Metcalf; Lizzie E. Pellerin to Lizzie E. Dewey; Malcom Dee Pearson to Malcolm D. Hildreth; Mitchell Richardson to Nelson Peterson Johnson; Alphonso J. Rancour to Alphonso J. Sulham; Mabel A. Spafford to Mabel A. Currier; Elmer Tobey to Elmer Courett; Gladys Rebecka Vale to Alice Mary Mansfield; Ruth Lillian Webb to Lillian Ruth Berry.

Coös. Coös County.—Winifred B. Clark to Winifred B. Whitten; Lillian Brennan to Wanita Glyde Winslow; Bertha Carrie Bowker to Bertha Carrie Libby; Florence Mildred Sawyer to Florence Mildred Oleson; Libbie Lynne Hebbard to Libbie Lynne Goodridge; Helen A. Silver to Helen A. Hanson; Irving E. Angel to Irving Jones; Florence V. Huntington-Wright to Florence V. P. Huntington; John Kenison to John Elwin Moulton; Raymond Ellsworth Pike to Raymond Ellsworth Larrabee; Bessie L. Treggett to Bessie L. Lombard; Henry Walter Cook to Henry Walter Johnson; Merle William Reid to Merle William Evans; Gerald Parker Reid to Gerald Parker Evans; Archibald Crawford to Archibald Crawford Bowles; Fay Lawrence Beecher to Fay Lawrence Roby.

PRIVATE ACTS.

CHAPTER 149.

AN ACT TO LEGALIZE THE ANNUAL MEETING OF THE SCHOOL DISTRICT OF PLYMOUTH, HELD MARCH 10, 1904.

SECTION
1. Meeting legalized.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The annual meeting of the school district of Plymouth held on March 10, 1904, and all votes and proceedings of said meeting, are hereby legalized, ratified and confirmed. Meeting legalized.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved January 19, 1905.]

CHAPTER 150.

AN ACT TO CHANGE THE NAME OF L'ASSOCIATION CANADO-AMERICAINE AND CONFIRM ITS ORGANIZATION.

SECTION
1. Name changed and corporation created.
2. Adoption of existing organization, etc.
3. Collection of dues and assessments.
4. Subject to supervision of insurance commissioner.
5. Adoption of act by High Court.
6. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The name of L'Association Canado-Americaine, a fraternal beneficiary association, existing and doing business in Manchester in the county of Hillsborough and State of New Hampshire, is hereby changed to Association Canado-Americaine; and said association is hereby recognized and continued as and made a body corporate and politic under said Name changed and corporation created.

name, with its principal place of business in Manchester, aforesaid, for the following fraternal and benevolent purposes, to wit: the mutual benefit of its members in case of sickness and the payment of death benefits to the widows, orphans, heirs or dependents of members at their death, also the care of sick members and the burial of deceased members, and other similar mutual and fraternal beneficiary purposes; and for those purposes it may adopt and use a corporate seal, may form and associate with itself such subordinate lodges, courts, villas, and succursales as it shall deem expedient, and may adopt and enforce such constitution, rules, regulations, and by-laws for the government of itself, its members, and such subordinate lodges, courts, villas, and succursales, not repugnant to the constitution and laws of the state, as it may deem expedient, and may alter, amend and repeal the same; and by said name it may sue and be sued, prosecute and defend to final judgment and execution; and said corporation is hereby vested with all the powers and privileges and made subject to all the duties and liabilities incident to corporations of a similar nature.

Adoption of existing organization, etc.

SECT. 2. The present and existing organization, membership, and officers of said L'Association Canado-Americaine and the existing corporate seal, constitution, rules, regulations, and by-laws of said association, shall be the organization, membership and officers of said corporation, and the corporate seal, constitution, rules, regulations, and by-laws of said corporation until changed in accordance with the provisions of this act; and all the existing obligations and contracts of said L'Association Canado-Americaine shall be deemed to be and be the obligations and contracts of said corporation.

Collection of dues and assessments.

SECT. 3. Said corporation may levy and assess and collect from its members such dues and assessments for its expenses and the conduct of its business and for the payment of sick, burial, death, and other benefits as shall be in conformity with its constitution, rules, and by-laws; and it may take by deed, gift, or otherwise, purchase and hold real and personal property to an amount not exceeding ten thousand dollars, and may use, lease, sell, convey and otherwise dispose of the same at pleasure.

Subject to supervision of insurance commissioner.

SECT. 4. Said corporation shall be subject to the supervision of the insurance commissioner in accordance with all existing or future laws regulating fraternal beneficiary societies, orders, and associations, and shall make to such commissioner all such reports as are now or may hereafter be required by law.

Adoption of act by High Court.

SECT. 5. The existing high court of said L'Association Canado-Americaine, at any regular meeting held in accordance with its existing constitution and by-laws, may vote to accept and adopt this act, and the vote of said high court,

adopting this act as a charter, shall complete the organization of said corporation and shall endow said L'Association Canado-Americaine with all the corporate powers and privileges provided by this act, and said association shall be and continue as a corporation under the name of Association Canado-Americaine.

SECT. 6. The legislature may at any time alter, amend, or repeal this act, whenever in their opinion the public good requires it, and this act shall take effect upon its passage. Subject to repeal; takes effect on passage.

[Approved January 19, 1905.]

CHAPTER 151.

AN ACT TO AUTHORIZE THE CONCORD & MONTREAL RAILROAD TO SECURE THE FORECLOSURE OF THE MORTGAGE OF THE NASHUA, ACTON & BOSTON RAILROAD, AND PURCHASE THE MORTGAGED PROPERTY AT FORECLOSURE SALE.

SECTION
1. Authority granted.
2. Subrogation of purchaser's mortgagee.
SECTION
3. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The Concord & Montreal Railroad being the owner of nearly all the stock and bonds of the Nashua, Acton & Boston Railroad; and said Nashua, Acton & Boston Railroad having defaulted in the payment of the principal and interest of its mortgage bonds of five hundred thousand dollars ($500,000), issued on October 1, 1874, under an act of the Massachusetts legislature passed June 12, 1874, and an act of the New Hampshire legislature passed June 23, 1874,—said Concord & Montreal Railroad, as owner of nearly all of said bonds, and as lessor to the Boston & Maine Railroad, is hereby authorized to apply to the trustees under said mortgage, to procure a foreclosure thereof; and said Concord & Montreal Railroad is hereby authorized to become a purchaser of the property and franchises of said Nashua, Acton & Boston Railroad, at any public or private sale under a decree, or order, of the court, on such foreclosure proceedings. Authority granted.

SECT. 2. The said Nashua, Acton & Boston stock and bonds, owned by the Concord & Montreal Railroad, being a part of the railroad property, covered by the lease of the Concord & Montreal Railroad to the Boston & Maine Railroad, dated June 29, 1895, and the same being also subject to the mortgage of the railroad and railroad property of the Concord Subrogation of purchaser's mortgagee.

& Montreal Railroad to the Boston Safe Deposit & Trust Company, dated June 2, 1890, it is hereby further provided that if the Concord & Montreal Railroad shall become a purchaser of the property and franchises of the Nashua, Acton & Boston Railroad, or any part thereof, at any such foreclosure sale, said property and franchises so purchased shall be held subject to said lease and mortgage, respectively.

Repealing clause; act takes effect on passage.

SECT. 3. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage.

[Approved January 24, 1905.]

CHAPTER 152.

AN ACT TO CHANGE THE NAME OF THE MOUNT PLEASANT HOTEL COMPANY.

SECTION
1. Name changed.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name changed.

SECTION 1. That the name of The Mount Pleasant Hotel Company be and hereby is changed to The Bretton Woods Company.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved January 26, 1905.]

CHAPTER 153.

AN ACT IN RELATION TO THE CITY OF KEENE, ESTABLISHING A BOARD OF POLICE COMMISSIONERS FOR SAID CITY.

SECTION
1. Board of police commissioners established.
2. Appointment and terms of office.
3. Power of removal.
4. Police force, how constituted.
5. Commissioners to make rules.
6. Organization of board.
7. Report and records of board.
8. Compensation of commissioners and police.
9. Tenure of office of existing police force.
10. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Board of police commissioners established.

SECTION 1. The powers now possessed by the board of mayor and aldermen of the city of Keene in relation to the appointment, control and removal of police officers for said city, as provided in the statutes of the state and the ordinances

of the city of Keene, are hereby transferred to a board of police commissioners, including the power of the mayor to appoint special constables under section 5 of chapter 47 of the Public Statutes.

How and when appointed; terms of office.

SECT. 2. The governor, with the advice and consent of the council, shall, on or before the first day of March, 1905, appoint three police commissioners for said city of Keene, one of whom shall hold office for two years from the first Tuesday of March, 1905, one for four years and one for six years from said date, or until their successors are appointed and qualified; and biennially thereafter, on or before the first day of March, the governor, with the advice and consent of the council, shall appoint one commissioner who shall take the place of the one whose term expires, and who shall serve for six years, or until his successor is appointed and qualified, unless sooner removed as hereinafter provided; and any vacancy in said board shall be filled in the same manner. At no time shall more than two of said commissioners belong to one political party; and no commissioner shall hold any other municipal office during his term as commissioner. All commissioners shall have been residents of said Keene for at least five years immediately preceding the date of their appointment.

Power of removal.

SECT. 3. The governor, with the advice and consent of the council, shall have full power to remove any commissioner at any time, after a fair hearing and for just cause.

Police force, how constituted.

SECT. 4. The police force of said city shall consist of a city marshal and not exceeding ten regular police officers, who shall devote such time as shall be required by the commissioners to the performance of the duties of their office, and who shall not be engaged in any other business or occupation (except as constables), and special police officers whenever and in such numbers as they may deem best. All police officers shall be appointed by the police commissioners, and said commissioners shall have the right to remove any member of the police force when in their judgment the public good requires it. All police officers appointed as aforesaid shall have and exercise, when on duty, all the powers possessed by police officers and constables, except as to the service of civil process; and the marshal and such of the regular officers as the commission may designate shall be constables for all purposes.

Commissioners to make rules.

SECT. 5. The police commissioners shall have full power to make all rules for the government of the police force, including tenure of office, and to enforce said rules.

Organization of board.

SECT. 6. The police commissioners shall elect one of their number who shall act as chairman of the board, and one who shall act as clerk and keep a record of their proceedings, issue all notices, and attest all such papers and orders as said board shall desire.

Report and records.

SECT. 7. The said board shall make a detailed report of its doings quarterly to the mayor and aldermen of said city, and annually to the governor in the month of December. The records of said board shall at all times be open to the inspection of the governor and council, and to the citizens of Keene.

Compensation of commissioners and police.

SECT. 8. The compensation of the commissioners shall be fixed from time to time by the city councils, and the compensation of all the members of the police force shall be fixed from time to time by the police commissioners, all of which compensation shall be paid by the city of Keene. The compensation of the members of the police force shall be in the form of salaries or wages, which shall be in full for all services, and all fees to which said members of the police force become entitled as police officers or as constables or otherwise, in connection with criminal proceedings instituted by the city, or made a charge against the city, shall be turned over and belong to the city, and they shall make no charge therefor, except for actual expenses incurred.

Tenure of office of existing police force.

SECT. 9. The persons now holding the offices of city marshal, and all police officers, constables and special police officers, now in office in said Keene, shall hold their respective offices only until their successors are appointed by the board of police commissioners for said city, and shall receive pay only for such time as they may have served in office.

Repealing clause; act takes effect on passage.

SECT. 10. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage.

[Approved January 31, 1905.]

CHAPTER 154.

AN ACT TO ESTABLISH A BOARD OF WATER COMMISSIONERS FOR THE BETHLEHEM VILLAGE PRECINCT.

SECTION
1. Board of water commissioners established.
2. Election and tenure of office.
3. Organization; duties; annual report.
4. Powers of board.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Board established.

SECTION 1. The Bethlehem village precinct is authorized and empowered, for the convenience and efficient maintenance and operation of its water-works, to place the same under a board of commissioners, consisting of three persons, to be elected by said village precinct.

SECT. 2. The said board of commissioners shall be elected at the regular annual meeting of said village precinct, in 1905, or at a special meeting thereof. One of said commissioners shall be elected for three years; one for two years; and one for one year. And at each annual meeting of said village precinct thereafter, one member shall be elected for three years. Said commissioners to hold office for their respective terms and until their successors are chosen and qualified. Election and tenure of office.

SECT. 3. The said board of commissioners shall organize each year, by electing one of their number a chairman, and another of their number a clerk. The said officers to perform the usual duties of said offices. The clerk shall also keep a suitable set of books, showing receipts and disbursements of the commissioners; shall collect and receipt therefor all water rates and assessments, and pay all moneys, so collected, to the treasurer of said village precinct; shall furnish a certificate showing the organization of said board of commissioners, within a reasonable time thereafter each year, to the clerk of said village precinct, who shall record the same in the records of said village precinct; and shall give bond acceptable to the said board of commissioners, for the faithful performance of the duties of his office. The said board of commissioners shall make and file with the clerk of said village precinct, an annual report of their business, in time for publication in the annual report of said village precinct. Any vacancy occurring in said board of commissioners, the remaining members of said board shall fill, until the next annual election. Organization; duties; annual report.

SECT. 4. The said board of commissioners are authorized and empowered to and shall conduct all business relating to the maintenance and operation of said water-works; to make all water rates and assessments; to make extensions of system; to make all necessary contracts for the sale of water, the purchase of supplies, materials for repairs and extensions, the employment of all labor, including a superintendent, necessary to the proper maintenance and operation of said water-works, and for any and all other things required to so maintain and operate said water-works. They shall give orders on the village precinct treasurer for all disbursements, and said village precinct treasurer shall pay said orders when signed by the chairman and one other member of said board of commissioners. The books and accounts of the clerk shall be audited annually by the auditor for the said village precinct. Powers of board.

SECT. 5. This act to take effect upon its passage. Takes effect on passage.

[Approved February 1, 1905.]

CHAPTER 155.

AN ACT TO LEGALIZE THE VOTE OF THE TOWN OF STEWARTSTOWN, OF NOVEMBER 8, 1904, TO EXEMPT THE HOTEL PROPERTY OF GEORGE N. PIKE FROM TAXATION FOR A TERM OF YEARS.

SECTION
1. Vote legalized.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Vote legalized.

SECTION 1. The proceedings of the town of Stewartstown at the biennial town meeting holden on the eighth day of November, 1904, exempting from taxation the hotel property situated in the village of West Stewartstown in said town and owned by George N. Pike, are hereby legalized and made valid.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 1, 1905.]

CHAPTER 156.

AN ACT TO AUTHORIZE THE SCHOOL DISTRICT OF THE TOWN OF CLAREMONT TO ISSUE NOTES OR BONDS FOR SCHOOL PURPOSES.

SECTION
1. Authority granted; form of bonds.
2. Right of eminent domain.
SECTION
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Authority granted; form of bonds.

SECTION 1. The school district of the town of Claremont for the purpose of raising money to defray the expense of procuring a site and playgrounds for a schoolhouse and for erecting thereon a building for schools of the grammar grade and furnishing and equipping the same, may issue negotiable notes or coupon bonds of the district to an amount not to exceed fifty thousand dollars in the aggregate. Such bonds shall be payable not more than twenty-five years from the passage of the act, shall bear interest at a rate not exceeding three and one half per cent. per annum and shall be signed by the school board of such district, or a majority thereof, and countersigned by the treasurer and shall have the seal of the district affixed thereto. All bonds issued by virtue of this act and signed and sealed as herein provided shall, in favor [of] *bona fide* holders,

be conclusively presumed to have been duly and regularly authorized and issued in accordance with the provisions herein contained and no such holder shall be obliged to see to the existence of the purpose of the issue, or to the regularity of any of the proceedings, or to the application of the proceeds of such issue.

Right of eminent domain.

SECT. 2. If the district cannot agree with the owners thereof, it shall have the right to take under the power of eminent domain and condemn for the purposes mentioned or for the purpose of enlarging an existing schoolhouse lot so much land as in its judgment may be necessary in the same manner as land is taken for a public park.

Takes effect on passage.

SECT. 3. This act shall take effect upon its passage.

[Approved February 1, 1905.]

CHAPTER 157.

AN ACT TO AMEND CHAPTER 189 OF THE SESSION LAWS OF 1903, ENTITLED, "AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF DOVER, CREATING A BOARD OF POLICE COMMISSIONERS FOR SAID CITY, AND FIXING THE SALARIES OF THE OFFICERS OF THE POLICE DEPARTMENT."

SECTION
1. Organization and compensation of police force, etc.

SECTION
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Organization and compensation of police force, etc.

SECTION 1. Amend section 4 of said chapter by inserting the words captain of the watch after the words "assistant city marshal," in the second line of said section. Strike out the words "one thousand" in the thirteenth line of said section, and insert in place thereof the words twelve hundred; strike out the words "eight hundred" in the fourteenth line of said section, and insert in place thereof the words one thousand. After the words "per annum" in the fifteenth line of said section insert the words the captain of the watch, while on duty, at the rate of eight hundred dollars per annum; strike out the word "thirty" in the sixteenth line of said section and insert in place thereof the word eighty; so that said section as amended shall read as follows: SECT. 4. The police force of said city shall consist of a city marshal, assistant city marshal, captain of the watch, police officers and constables, not to exceed twelve in number, who shall devote such time to the performance of their duties as may be required by the commis-

sioners; said officers shall not engage in any other business or occupation, or hold any state, county, or municipal office, except as aforesaid. The board shall have the power to appoint as many special officers as may be considered necessary, who shall perform such service as may be required of them by the rules and regulations of the board. Special officers shall exercise, when on duty, all the powers of police officers and constables under the laws of the state. The compensation of the city marshal shall be at the rate of twelve hundred dollars per annum; the assistant marshal at the rate of one thousand dollars per annum; the captain of the watch, while on duty, at the rate of eight hundred dollars per annum; each police officer, while on duty, at the rate of seven hundred and eighty dollars per annum; each special police officer, while on duty, such sum as the commissioners may designate, but in no event to exceed two dollars per day. The salary of the police justice of said city shall be eight hundred dollars per annum; the associate justice of said police court, two hundred dollars per annum; the clerk of said police court, the sum of three hundred dollars per annum. The compensation of said board of police commissioners shall be five hundred dollars per annum, to be divided as said board may determine. All the above salaries, as well as the necessary expenses of the commissioners, to be paid monthly by said city of Dover, and to be in full for all services rendered, as well as all fees in criminal cases, which shall, in all cases, be paid to the city.

Repealing clause; act takes effect on passage.

SECT. 2. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 8, 1905.]

CHAPTER 158.

AN ACT TO AMEND SECTION 1 OF CHAPTER 159 OF THE LAWS OF 1897, ENTITLED "AN ACT TO INCORPORATE THE AMERICAN ACCIDENT ASSOCIATION."

SECTION 1. Charter amended.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter amended.

SECTION 1. Amend section 1 by inserting after the word "means" in the eleventh line, the words and to provide benefits for disability caused by sickness, so that said section 1 shall read, [SECTION 1.] That Adolph W. Pressler, John J. Donahue, James F. Brennan, W. L. Mason, J. E. Lewis, and

F. M. Dinsmoor, their associates, successors, and assigns, be and hereby are made a body politic and corporate, by the name of American Accident Association, with authority to have and exercise all the powers and privileges incident to corporations of a similar nature, unless limited or extended by this act, for the mutual benefit, protection and assurance of its members or their beneficiaries, who shall have sustained, while members of the association, bodily injury, whether fatal or disabling, effected through or by external, violent or accidental means, and to provide benefits for disability caused by sickness, and under such conditions, provisions, limitations and exceptions as may be established under the by-laws of the association.

[Approved February 8, 1905.]

CHAPTER 159.

AN ACT TO AMEND THE CHARTER OF THE FARMS CEMETERY, PASSED AT THE JUNE SESSION 1885, BY CHANGING THE NAME OF SAID CORPORATION.

SECTION
1. Name changed.
SECTION
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Section 1 of chapter 190 of the Laws of 1885, is hereby amended by striking out the name "The Farms Cemetery," and inserting in place thereof the name, The Hills Farms Cemetery, in which name it shall transact all its business. Name changed.

SECT. 2. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved February 9, 1905.]

CHAPTER 160.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF BERLIN CREATING A BOARD OF POLICE COMMISSIONERS FOR SAID CITY, AND FIXING THE SALARIES OF THE OFFICERS IN THE POLICE DEPARTMENT.

SECTION
1. Board of police commissioners established.
2. Appointment and terms of office.
3. Power of removal.
4. Police force, how constituted; compensation of police, etc.
5. Organization of board.
6. Report and records of board.
7. Board to enforce laws.
8. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Board of police commissioners established.

SECTION 1. The management, appointment, and removal of all police officers in said city shall be vested in a board of three police commissioners; they shall have the power to make all reasonable rules, by-laws, and regulations for the government of said police officers, and may enforce the same by suspension, or expulsion from the force, as they see fit.

Appointment and terms of office.

SECT. 2. On or before the first day of March, 1905, the governor, with the advice and consent of the council, shall appoint three police commissioners, (each of whom shall have been a resident of said Berlin at least three years immediately preceding the date of his appointment) one of whom shall hold office for the term of one year from the first day of April, 1905, one for the term of two years, and one for the term of three years, from said date, or until their successors are appointed and qualified; and annually thereafter, on or before the first day of April, the governor, with the advice and consent of his council, shall appoint some person, qualified as aforesaid, to succeed the commissioner whose term expires, who shall serve the full term of three years, unless sooner removed. Any vacancy in said board shall be filled in the same manner, only for the unexpired term. At no time shall more than two of said commissioners belong to one political party.

Power of removal.

SECT. 3. The governor, with the advice and consent of the council, shall have full power to remove any or all of said commissioners, after a fair hearing, and for just cause.

Police force, how constituted; compensation of police, etc.

SECT. 4. The police force of said city shall consist of a city marshal, assistant marshal, and such number of regular police officers as the commission shall determine, who shall devote such time to the performance of their duties as may be required by the commissioners; said officers shall not engage in any other business or occupation, or hold any state, county or municipal office, except constables and as aforesaid. The board shall have the power to appoint as many special officers

and constables as may be considered necessary, who shall perform such service as may be required of them by the rules and regulations of the board. Special officers shall exercise, when on duty, all the powers of police officers and constables under the laws of the state. The compensation of the city marshal shall be at the rate of one thousand dollars per annum, the assistant marshal at the rate of eight hundred dollars per annum; each police officer, while on duty, at the rate of seven hundred thirty dollars per annum; each special police officer, while on duty, such sum as the commissioners may designate, but in no event to exceed two dollars per day. The compensation of said board of police commissioners shall be three hundred and fifty dollars per annum, to be divided as said board may determine. All the above salaries, as well as the necessary expenses of the commissioners, to be paid monthly by said city of Berlin, and to be in full for all service rendered, as well as all fees in criminal cases, which shall, in all cases, be paid to the city.

Organization of board.

SECT. 5. The said board shall elect one of their number who shall act as chairman, and one who shall act as clerk. It shall be the duty of the clerk to keep an accurate record of the proceedings of the commissioners, issue all notices, and attest such papers and orders as said board shall desire.

Report and records.

SECT. 6. The said board shall in the month of January make a detailed report of their doings to the board of mayor and council of said city, and to the governor of the state. The records of said board shall at all times be open to public inspection.

Enforcement of laws.

SECT. 7. It shall be the duty of the commissioners, appointed under this act, to see that all the criminal laws of the state are faithfully and impartially enforced, within said city.

Repealing clause; act takes effect on passage

SECT. 8. All acts and parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 9, 1905.]

CHAPTER 161.

AN ACT TO ENABLE THE CITY OF ROCHESTER TO HIRE MONEY FOR THE PURPOSE OF BUILDING A NEW CITY HALL THEREIN.

SECTION
1. Loan authorized.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Loan authorized.

SECTION 1. The city of Rochester is hereby authorized to hire a sum of money not exceeding sixty-five thousand (65,000) dollars to defray the expenses of building a new city hall in said Rochester and to issue notes or bonds of the city therefor, payable at such times within thirty (30) years from the passage of this act and with such rate of interest, not exceeding five per cent. per annum, as the mayor and city council may determine.

Takes effect on passage.

SECT. 2. This act shall take effect on and after its passage.

[Approved February 9, 1905.]

CHAPTER 162.

AN ACT TO AUTHORIZE THE CITY OF DOVER TO ERECT AND MAINTAIN A HOSPITAL, PROVIDE FOR THE ELECTION OF A BOARD OF TRUSTEES FOR SAID HOSPITAL AND TO DEFINE THEIR DUTIES.

SECTION
1. Authority granted; election of trustees.
2. Organization of board; powers and duties.
3. Management of property.
4. Right of eminent domain.
5. Annual report of trustees.
6. Takes effect on passage.

Preamble.

WHEREAS, Arioch Wentworth late of Swampscott in the county of Essex and Commonwealth of Massachusetts, deceased, by his last will and testament bequeathed certain of his estate for founding and maintaining a hospital in said city to be called the Wentworth Hospital therefore.

Be it enacted by the Senate and House of Representatives in General Court convened:

Authority granted; election of trustees.

SECTION 1. That the said city of Dover be and is hereby authorized to accept said bequest for the purposes in said will contained, and all property hereafter bequeathed or devised for said purpose, and be and is hereby further authorized and empowered to erect, establish, equip and maintain a hospital

for the benefit of sick and disabled persons, to be known as the Wentworth Hospital; and upon the passage of this act, for this purpose, the mayor and aldermen of said city, upon nominations duly submitted by the mayor of said city, shall elect five citizens of said Dover as a board of trustees; one of whom shall serve five years, another four years, another three years, another two years and another one year; and thereafter in the month of March, annually, said mayor and aldermen shall, upon nominations as aforesaid, elect one citizen of said city to be a member of said board of hospital trustees who shall hold office five years from his said election and until his successor is elected and qualified, unless sooner removed. If a vacancy occurs the mayor and aldermen shall, upon nominations as aforesaid, elect some person to fill said vacancy for the residue of said term. Said mayor and aldermen may remove any member of said board of hospital trustees at any time for cause, upon charges duly filed with the clerk of said city and upon a full hearing had thereon; *provided*, *however*, that no member of said board shall be removed except upon the affirmative vote of two thirds of all the members of said board of mayor and aldermen, voting by yea and nay, and at no time shall all the members of said board be of the same political party. The mayor and president of the common council shall be, *ex-officiis*, members of said board, with all the rights and privileges of their associates on the board.

Organization of board; powers and duties.

SECT. 2. In the month of March, annually, said board shall organize by the choice of one of its members as chairman, and shall also choose a clerk who may be one of said trustees; said board may choose a treasurer, who shall file with said board such bond and receive such salary as said trustees shall determine. Said board of hospital trustees may purchase such land as may be necessary and shall have full charge, management and control of the erection, equipment and management of such building or buildings as may be necessary to carry into effect the purposes of this act; may employ and fix the compensation of such agents as they shall deem expedient, and remove any of said agents at pleasure, and make necessary rules and regulations for their own government and for the control and management of all property, real or personal, connected with the proper conduct of said hospital.

Management of property.

SECT. 3. The board of trustees shall hold in trust all property now bequeathed, or hereafter acquired by, or bequeathed or devised to, said city for hospital purposes; and the investment, use, disposition, and expenditure of the same, and the income thereof, shall be within the sole control and discretion of said board of trustees, and the same being in the nature of a public charity shall be exempt from taxation.

Right of eminent domain.

SECT. 4. If the said board of trustees are unable to purchase any land they may deem necessary for hospital purposes at a price which they think reasonable, they may take the same and apply to the county commissioners for the county of Strafford to assess damages upon any land which they desire to so take; and said commissioners after notice to the parties and hearing, shall assess the value of said land so taken, and award damages therefor, which assessment shall be in writing and filed in the office of the city clerk of said city as soon as may be after the same is completed; and upon the payment or tender to the party whose land is so taken, the right of said board of trustees to the same shall become vested and complete; but said party shall have the right of appeal as in the case of land taken for highways by action of said commissioners.

Annual report.

SECT. 5. The said board shall annually, in the month of December, make a detailed report of all matters pertaining to said hospital to the city councils, and the city councils are authorized to appropriate such sums of money from time to time for the maintenance of said hospital as in their judgment may be necessary.

Takes effect on passage.

SECT. 6. This act shall take effect upon its passage.

[Approved February 9, 1905.]

CHAPTER 163.

AN ACT TO CHANGE THE NAME OF THE PEOPLE'S CHURCH AT LACONIA.

SECTION
1. Name changed.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name changed.

SECTION 1. That the name of the People's Church at Laconia in the county of Belknap is hereby changed to the First Christian Church of Laconia, New Hampshire.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 9, 1905.]

CHAPTER 164.

AN ACT TO AMEND AND CONFIRM THE CHARTER OF L'UNION CANADIENNE DE MANCHESTER N. H., BEING CHAPTER 188, LAWS OF 1901.

SECTION 1. Charter amended.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend section 1, by striking out the word "and" after the word "sick" in the ninth line, and adding after the word "funeral" in the ninth line the words and death so that said section will read: [SECTION 1.] That Hermogene Desrosiers, Vital Fortier, Hormidas L. Gauvin, Euclide Geoffrion, and Joseph V. Gelinas, their associates, subscribers, and assigns, be and hereby are made a body politic and corporate by the name of L'Union Canadienne de Manchester N. H., for charitable and benevolent purposes, to provide for the sick and distressed members of the association and to establish a relief and benefit fund by means of mutual agreements and the payments of funds from which the members of the association may receive sick, funeral and death benefits. And said corporation may sue and be sued, defend and be defended, have and use a common seal, and shall have full power to adopt a constitution and by-laws, not repugnant to the laws of this state, and said corporation shall be vested with all the powers and privileges, and be subject to all the liabilities of law incident to corporations of a similar nature. Charter amended.

[Approved February 9, 1905.]

CHAPTER 165.

AN ACT TO LEGALIZE THE TOWN MEETING HELD IN WEARE NOV. 8, 1904.

SECTION
1. Warrant and election legalized.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the selectmen's warrant for the calling of the town meeting of the town of Weare for Nov. 8, 1904 and all acts and proceedings of the voters at said meeting are hereby legalized and made valid. Warrant and election legalized.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 9, 1905.]

CHAPTER 166.

AN ACT TO AUTHORIZE THE KEENE GAS & ELECTRIC COMPANY TO INCREASE ITS CAPITAL STOCK.

SECTION
1. Increase authorized.
2. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Increase authorized.

SECTION 1. That the Keene Gas & Electric Company of Keene in the county of Cheshire be and is hereby authorized to increase its capital stock to a sum not exceeding four hundred and fifty thousand ($450,000) dollars, for the purpose of converting its bonded and floating indebtedness into stock and providing for extensions and development, and to issue its certificates of stock in such classes, at such times, and for such amounts as the directors may determine.

Repealing clause; act takes effect on passage.

SECT. 2. Any part of the charter of said corporation, or amendments thereto, inconsistent with this act, is hereby repealed and this act shall take effect upon its passage.

[Approved February 9, 1905.]

CHAPTER 167.

AN ACT TO AMEND CHAPTER 265, SESSION LAWS OF 1891, ENTITLED "AN ACT TO AMEND THE CHARTER OF THE NASHUA TRUST COMPANY."

SECTION
1. Charter amended.
2. May change capital stock.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter amended.

SECTION 1. That section 1 of an act of the legislature of 1891, being chapter 265 entitled "An act to amend the charter of the Nashua Trust Company," be amended by inserting in place of the words "one hundred thousand dollars" and the figures "($100,000)" the words fifty thousand dollars and the figures ($50,000), and in place of the words "three hundred thousand dollars" and the figures "($300,000)" the words one hundred thousand dollars and the figures ($100,000), so that said section 1 shall read as follows: Said company shall have a capital stock of fifty thousand dollars ($50,000) divided into shares of one hundred dollars each, with authority to increase

the capital stock to one hundred thousand dollars [($100,000)], and may acquire and hold real estate for its own use to the value of twenty-five thousand dollars ($25,000), exclusive of such real estate as may be taken in good faith for debt or held as collateral security.

May change capital stock.

SECT. 2. The provisions of section 6 of chapter 149 of the Public Statutes and the rights and powers there given shall apply to the said Nashua Trust Company.

Takes effect on passage.

SECT. 3. This act shall take effect from and after its passage.

[Approved February 9, 1905.]

CHAPTER 168.

AN ACT AUTHORIZING A PHYSICAL CONNECTION OF THE MANCHESTER STREET RAILWAY WITH THE LINES OF THE UNCANOONUC INCLINE RAILWAY AND DEVELOPMENT COMPANY.

SECTION
1. Physical connection authorized.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Physical connection authorized.

SECTION 1. The lines of the Uncanoonuc Incline Railway and Development Company now or hereafter built, and the lines of the Manchester Street Railway may be physically united and the electric cars of each corporation may be run over the lines of the other upon such terms and conditions as may be agreed upon by the parties.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 9, 1905.]

CHAPTER 169.

AN ACT TO ESTABLISH WATER-WORKS IN THE TOWN OF WILTON.

SECTION
1. Water-works authorized.
2. Right of eminent domain.
3. Contracts authorized.
4. Extension of system in Milford.
5. Board of water commissioners established.
6. Powers and duties of board.
7. Receipt and expenditure of funds.
8. Appropriations authorized.
9. Votes of town ratified.

Be it enacted by the Senate and House of Representatives in General Court convened:

Water-works authorized.

SECTION 1. That the town of Wilton in the county of Hillsborough is hereby authorized and empowered to construct, manage, maintain, and own suitable water-works, for the purpose of introducing into and distributing through the villages in said town or in any part thereof an adequate supply of water, in subterranean pipes, for extinguishing fires and for the use of its citizens, and for other purposes; and for that purpose may take, purchase, and hold, in fee simple or otherwise, any real or personal estate, and any rights therein, and water-rights, necessary for carrying into effect the purposes of this act; and to excavate and dig canals and ditches in any street, place, square, passway, highway, common, or other place through which it may be deemed necessary and proper for building said water-works; and relay, change and repair the same at pleasure, having due regard for the safety of its citizens and security of the public travel.

Right of eminent domain.

SECT. 2. Said town is authorized and empowered to enter upon, take and appropriate any streams, springs, or ponds in the town of Wilton or elsewhere not belonging to any aqueduct company, and to secure, by fence or otherwise, such streams, springs or ponds, and dig ditches, canals, make excavations or reservoirs, through, over, in, or upon any land or enclosure through which it may be necessary for said aqueduct to pass, or said excavation, reservoirs, and water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting such water, and placing such pipes, or other material, or works, as may be necessary for building and operating such aqueduct and water-works, or for repairing the same: *Provided*, if it shall be necessary to enter upon and appropriate any stream, spring, or pond, or any land for the purpose aforesaid, or to raise or lower the level of the same, and if said town shall not agree with the owners thereof for the damage that may be done by said town, or such owners shall be unknown, said town or said owner or party injured, may apply to the superior court for said county, by petition, to have the same taken, appropriated and condemned for the purposes

required, and the damages determined; and the said court shall refer the same to the county commissioners for said county, who shall appoint a place and time of hearing, and give notice thereof in the same manner as is now provided by law for laying out highways, and said commissioners shall make reports to said court, and said court may issue executions accordingly; but if either party shall desire, upon application to said court before reference to said commissioners they shall be entitled to a trial by jury in such manner and under such regulations as the court may prescribe.

Contracts authorized.

SECT. 3. Said town is authorized and empowered to contract with individuals and corporations, whether citizens of said town or not, for supplying them with water, and to make such contracts and establish such regulations and tolls for water and its use as may from time to time be deemed proper: and may contract with any person or corporation to furnish to said town water for the use of the town and for the purposes of this act.

Extension of system in Milford.

SECT. 4. Said town is empowered to extend its water system within the limits of the town of Milford in said county, and may excavate and dig ditches in any street, square, passway, highway, or common, within the limits of said town of Milford, wherein said town of Wilton may be authorized to extend its water system as hereinafter provided, and may relay, change, and repair the same at pleasure, having due regard to the rights of the inhabitants of said town of Milford, or the owners of the property affected, and the safety of the public travel; *provided*, *however*, that said town of Wilton shall extend its water system only upon such streets and to such points within said town of Milford as it shall be authorized thereto in writing by the selectmen of said town of Milford; said towns of Milford and Wilton are authorized to contract with each other for the purpose of providing a supply of water for protection against fires within the limits of said town of Milford and for other public uses; and said town of Wilton is authorized to contract with individuals and corporations residing and doing business within the limits of said town of Milford for supplying them with water for domestic and other purposes.

Board of water commissioners established.

SECT. 5. The immediate management, control, and direction of the water-works of said town shall be vested in a board of water commissioners, to consist of three citizens of the town, the first board to be chosen by the legal voters of the town at the next annual meeting, or at some subsequent special meeting duly called for the purpose; and of the three so chosen at the first election, one shall be chosen and hold his office until the annual meeting of the town for the year 1906, one until the annual meeting of the year 1907, and the other until the annual meeting for the year 1908 and at each annual meeting of the

town, beginning with the year 1906, one commissioner shall be chosen to fill the place of the one whose term then expires; and they shall each hold their respective offices for the term of three years, and until others are chosen and qualified in their stead respectively. Their compensation shall be fixed by the town. They shall be sworn to the faithful discharge of their duties. They may choose one of their number as chairman of the board, and may appoint a clerk. They may also appoint a superintendent of the works, and such other agents and servants as they may deem necessary, and may fix their compensation. They may make such rules and regulations for their own government, and in relation to all officers and agents appointed by them, as they may deem proper. Whenever a vacancy occurs in said board, from any cause, the two remaining members of the board may fill such vacancy temporarily by an appointment in writing, which shall be filed with the town clerk and recorded by him. And the person so appointed shall hold said office until the next annual town meeting after his appointment, when the town shall elect a commissioner to fill the unexpired term, if any, of the person whose office became vacant and was so temporarily filled by such appointment.

Powers and duties.

SECT. 6. Said commissioners shall have the control and management of the construction of said works, and make all such contracts and agreements for and on behalf of the town in relation thereto as the town is hereby authorized to make and as they may deem proper and advisable, and shall have full charge and control over the said works when constructed. They shall establish rates and tolls and prescribe rules and regulations for the use of water, and may sell and dispose of such articles of personal property connected with said works as they shall deem expedient, and may purchase such property as may be in their judgment necessary for said works and the purposes contemplated by this act; and they shall annually make a report to the town of the condition of the water-works and the funds belonging to their department, and the expenses and income thereof, which shall be published in the town report of each year.

Receipt and expenditure of funds.

SECT. 7. All moneys received in any way on account of said water-works shall be paid into the town treasury, and shall be kept and applied exclusively for the uses of said water-works, including the payment of the bonds issued under this act and the interest thereon; and all bills and claims for expenditures connected with said works shall be approved by the board of water commissioners before they are paid by the treasurer; and the town treasurer shall keep his accounts relating to the water-works, including all bonds and notes of the town given for loans and moneys raised for said works, separately and distinctly from all other receipts and payments.

SECT. 8. Said town is also authorized, at any annual or special meeting, by a major vote of those present and voting, to raise and appropriate, and to borrow or hire, such sums of money on the credit of the town as may from time to time be deemed necessary for the purpose of defraying the expense of purchasing real estate, rights in real estate, water-rights, streams, springs, ponds, and other rights and property as aforesaid, and for constructing, maintaining and operating said water-works, and for payment of water-works purchased, or for water supplied by any person or corporation under contract aforesaid, and to issue notes or bonds of the town therefor in such amounts and payable at such times and at such rates of interest as may be thought proper. Appropriations authorized.

SECT. 9. All votes of the town of Wilton passed at its last town meeting relating to the establishment, maintenance, and governance of a town system of water-works, and the incidents thereto, are hereby ratified and confirmed. Votes of town ratified.

[Approved February 14, 1905.]

CHAPTER 170.

AN ACT TO AUTHORIZE THE NORTH CONWAY WATER PRECINCT TO PURCHASE AND MAINTAIN A SYSTEM OF WATER-WORKS.

SECTION
1. Prior acts ratified.
2. Acquisition of water-works authorized.
3. Assessment of damages.
4. Right of eminent domain.
5. Contracts authorized.
6. Appropriations authorized.
7. Act inoperative unless system acquired.
8. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The acts of the officers of the towns of Bartlett and Conway and the inhabitants and officers of the North Conway Water Precinct, in establishing said water precinct, and all the acts relating thereto, in the election of its officers, in the management and control of its affairs, and all the official acts of the officers of said precinct in the management and control of the same, are hereby legalized, ratified, and confirmed; and the inhabitants of said precinct are hereby made a body politic and corporate under the name of the North Conway Water Precinct, and are hereby vested with all the powers and privileges incident to corporations of a similar nature. Prior acts ratified.

SECT. 2. The North Conway Water Precinct is hereby authorized and empowered to take, or purchase, at a fair and equitable valuation, the property rights, and franchises of the North Conway Water and Improvement Company consisting Acquisition of water-works authorized.

of its works, structures, fixtures, property rights, and franchises, and estate of whatever nature, for the purpose of supplying said precinct with an adequate supply of pure water in subterranean pipes, for domestic, fire, park, sewerage, and such other purposes as water may be required in said precinct; and upon taking or purchasing the property of said North Conway Water and Improvement Company said precinct shall be and is hereby invested with the franchises, rights and powers, granted the said North Conway Water and Improvement Company by chapter 196 of the Laws of 1891 or by any other statutes of this state.

Assessment of damages.

SECT. 3. Should said North Conway Water Precinct be unable to agree with said North Conway Water and Improvement Company upon a fair and equitable price for its property, application may be made to the superior court for the county of Carroll, at the trial term thereof, for estimating the value of said property rights and franchises and said court shall refer the same to the county commissioners of said county as provided in section 4 of this act.

Right of eminent domain.

SECT. 4. Said precinct is authorized and empowered to enter upon, take, and appropriate any springs, streams, or ponds not belonging to any water company, to construct reservoirs, to make excavations through, over, in, or upon any land or enclosure, street, highway, or lane through which it may be necessary to pass or lay its pipes, to construct its reservoirs and water-works, or to repair the same. *Provided*, that if it shall be necessary to enter upon and appropriate any stream, spring, or pond, or any land for the purposes aforesaid, or to raise or lower the level of the same, and if an agreement with the owners thereof for the damages that may be done by said precinct cannot be made, or if such owners shall be unknown, said precinct, or the parties injured, may apply to the superior court, at a trial term of the same in Carroll county, to have the same laid out and the damages determined, and the said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing in the same manner as is provided by law for the laying out of highways. And said commissioners shall make report to said court and said court may render judgment thereon and issue execution accordingly. If either party shall desire before reference to said commissioners, they shall be entitled to a trial by jury in such manner and under such regulations as the court may prescribe.

Contracts authorized.

SECT. 5. Said precinct is authorized and empowered to contract with individuals or corporations for supplying said precinct with water, to make such other contracts, establish such regulations and tolls for the use of water, as may from time to time be deemed proper, and to elect such officers or commissioners as may be necessary, and prescribe their duties.

SECT. 6. Said precinct is also authorized, at any annual or special meeting, duly called, by a major vote of those present and voting, to raise and appropriate, borrow, or hire, such sums of money on the credit of the precinct as may from time to time be deemed advisable, for the purposes of defraying the expense of purchasing the property of said North Conway Water and Improvement Company, said real estate and rights, and for constructing, maintaining, and operating said water works, and to issue notes or bonds of the precinct payable at such times and at such rate of interest as may be thought proper therefor. Appropriations authorized.

SECT. 7. The said precinct shall not be hereby empowered to establish and maintain a water system until it shall first have purchased the water-works of the North Conway Water and Improvement Company, or acquired that property by exercise of the right of eminent domain as herein provided. Act inoperative unless system acquired.

SECT. 8. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 14, 1905.]

CHAPTER 171.

AN ACT TO AMEND CHAPTER 2423 OF THE LAWS OF 1860 ENTITLED "AN ACT TO INCORPORATE THE CLAREMONT GAS LIGHT COMPANY."

SECTION
1. Corporation constituted; purposes.
2. Capital stock.
3. Powers.
4. Issue of bonds, etc.
5. Laying of pipes.
6. First meeting.
7. Takes effect on passage; subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Substitute in the place of that which follows the enacting clause in said act as follows: SECTION 1. That Frederick H. Rindge, Benjamin Phipps, S. Parker Bremer, Ira Colby, John M. Whipple, Frank P. Vogl, their associates, successors and assigns are hereby constituted a body politic and corporate by the name of the Claremont Gas Light Company for the purpose of the manufacture, sale and distribution of gas for the production of light, heat and power, and for the application and use of the same for all mechanical and useful purposes within the limits of said Claremont. Said corporation shall be vested with all powers and privileges, and be subject to the duties and liabilities incident to such corporations. Corporation constituted; purposes.

SECT. 2. The capital stock of said corporation shall not exceed one hundred thousand dollars and shall be divided into Capital stock.

shares of a par value of one hundred dollars each. The amount of the capital stock shall be fixed by the corporation at its first meeting after the passage of this act and may, within said limit, be increased from time to time as the directors may determine. The capital stock may be paid in in cash or in property taken at a just valuation, but no certificate of stock shall be issued until fully paid for. Corporations may be owners of said stock and may vote thereon as other stockholders.

Powers.

SECT. 3. Said corporation is authorized to purchase, lease and hold all such real and personal estate as may be necessary and proper to hold, use and employ in its said business and may construct such buildings, works, furnaces, reservoirs and gas holders, and do such other things as may be requisite and suitable for said purposes, *provided however*, that the location of buildings for the manufacture of gas if in the compact part of the village must be approved by the selectmen of said town in writing and a record thereof made in the town clerk's office.

Issue of bonds, etc.

SECT. 4. The corporation shall have the right to sell, mortgage or lease its properties, rights and franchises, may issue bonds for its purposes to an amount not exceeding its capital stock paid in and upon vote of its stockholders secure the payment of such bonds by a mortgage of its property rights and franchises, such bonds to run not more than twenty years from date of issue, and to bear interest not exceeding four per cent. per annum, as may be determined by the directors.

Laying of pipes.

SECT. 5. Said corporation shall have the right to lay for its purposes, pipes in any of the public highways and streets of said Claremont subject to the approval of the selectmen of said town, and to relay and repair the same subject to such regulations as to health and safety of the citizens and safety of the public travel as may be prescribed by said selectmen.

First meeting.

SECT. 6. Any three of the persons named in this act may call the first meeting by notice at least ten days before the day of meeting in some newspaper published in said Claremont at which an organization may be effected, officers chosen and by-laws adopted and any other business of the corporation transacted.

Takes effect on passage; subject to repeal.

SECT. 7. This act shall take effect upon its passage and the legislature may alter, amend or repeal it whenever the public good requires.

[Approved February 14, 1905.]

CHAPTER 172.

AN ACT TO INCORPORATE THE HUDSON WATER COMPANY.

SECTION		SECTION	
1.	Corporation constituted; purposes.	6.	Contracts authorized.
2.	Capital stock.	7.	First meeting.
3.	Meetings of corporation.	8.	Issue of bonds.
4.	Purchase of property authorized.	9.	Subject to repeal; takes effect on passage.
5.	Right of eminent domain.		

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Charles H. Payson, George S. Payson, Herbert Payson, all of Portland, in the State of Maine, and James Harwood, of Hudson, and Harry P. Greeley, of Nashua, State of New Hampshire, their associates, successors, and assigns, shall be and hereby are made a body politic and corporate by the name of the Hudson Water Company, for the purpose of bringing water into the villages in Hudson in said state by subterranean pipes, for domestic use and the extinguishment of fires and for such other purposes as water may be required in said villages; and by that name may sue and be sued, prosecute and defend, to final settlement and execution, and are hereby vested with all the powers and privileges and made subject to all the liabilities incident to corporations of a similar nature. Corporation constituted; purposes.

SECT. 2. The capital stock of said corporation shall consist of such number of shares, not exceeding one hundred dollars each, as may from time to time be determined by the directors of said corporation, not exceeding in the whole the sum of fifty thousand dollars. Capital stock.

SECT. 3. The annual and all special meetings of the corporation shall be held at such times and places and upon such notice as may be provided by the by-laws of the corporation. Meetings.

SECT. 4. Said corporation is empowered to purchase and hold, in fee simple or otherwise, any real or personal estate necessary for the carrying into effect the purpose of this act, and to purchase any water-works in said Hudson now constructed or in operation; and said corporation is authorized to enter upon and break ground, dig ditches, and make excavations in any street, place, square, passageway, or highway through which it may be deemed necessary for the pipes and water-works of said corporation to pass, be, or exist, for the purpose of placing said pipes, hydrants, water-works, and such other materials as may be deemed necessary for constructing said water-works, and to relay and repair the same, subject to such regulations as to the safety of the citizens and the security of the public travel as may be prescribed by the selectmen of the town of Hudson. Property.

Right of eminent domain.

SECT. 5. Said corporation is authorized to enter upon and appropriate any springs, streams, ponds, and other sources of water supply, in the town of Hudson, not belonging to any aqueduct or water-works company, and to secure such streams, springs, ponds, or other sources of supply by fences or otherwise, and to dig ditches, make excavations and reservoirs, through, over, in, or upon any land or enclosure through which it may be necessary for said pipes and water to pass, or said excavations and reservoirs and water-works to be or exist, for the purpose of obtaining, holding, preserving, or conducting said water, and placing such pipes, other material, or works as may be necessary for building and operating such water-works or repairing the same: *provided*, that if it shall be necessary to enter upon and appropriate any streams, springs, or ponds, or land for the purpose aforesaid, or to raise or to lower the level of the same, and the said corporation shall not be able to agree with the owners thereof for damages that may be done by said corporation, or the owners shall be unknown, either party may apply to the superior court, at the trial term in the county of Hillsborough, to have the damages determined; and said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing, and give notice thereof, in the same manner as now provided by law for laying out of highways. Said commissioners shall make report to said court, and said court may issue execution therein accordingly; but if either party shall desire it, upon application to said court before reference to said commissioners they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe.

Contracts authorized.

SECT. 6. Said corporation may make any contract with said town of Hudson, or with any fire precinct in said town, or with any persons or corporation, to furnish water, hydrants, and other means and apparatus for extinguishing fires, and for such other purposes as may be deemed necessary; and said town, or any fire precinct therein now existing or hereafter organized, is hereby authorized to contract with said corporation for the use of said water, hydrants or other apparatus for said purpose, and may raise or appropriate money therefor. And said corporation is hereby authorized and empowered to sell or lease for a term of years to the town, or any fire precinct now existing or hereafter organized therein, all of its works, structures, and estate, of whatever kind or nature; and said town or fire precinct is hereby authorized to purchase or lease the same.

First meeting.

SECT. 7. The first two corporators herein named may call the first meeting of the corporation by giving a notice in writing, to each of the corporators, of the time and place of meeting, at least seven days before the day of meeting, or by leav-

ing the same at his last and usual place of abode; and at said meeting, or any adjourned meeting thereof, associates may be admitted and all proper officers chosen, the capital stock fixed, and such by-laws and regulations adopted as may be necessary to carry into effect the business of the corporation.

Issue of bonds.

SECT. 8. Said corporation may borrow money for the purpose of constructing the water-works named herein, and such other purposes for which it is created, and issue its bonds or other obligations therefor, and secure the same by mortgage upon the said water-works, property, assets, and franchises of said corporation.

Subject to repeal; takes effect on passage.

SECT. 9. This act may be altered, amended, or repealed whenever the public good may require, and shall take effect on its passage.

[Approved February 14, 1905.]

CHAPTER 173.

AN ACT TO AMEND THE CHARTER OF THE KEENE, MARLOW AND NEWPORT ELECTRIC RAILWAY COMPANY.

SECTION
1. Time for building extended.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for building extended.

SECTION 1. The time fixed in the charter of the Keene, Marlow and Newport Electric Railway Company in which to build its road, approved March 21, 1901, chapter 261 Laws of 1901, and extended by chapter 244 Laws of 1903, to March 21, 1905, is hereby extended to March 21, 1907.

Takes effect on passage.

SECT. 2. This act shall take effect on its passage.

[Approved February 15, 1905.]

CHAPTER 174.

AN ACT TO AMEND CHAPTER 165 OF THE SESSION LAWS OF 1885, ENTITLED "AN ACT TO ESTABLISH A BOARD OF HEALTH FOR THE CITY OF MANCHESTER AND DEFINE ITS POWERS AND DUTIES" EMPOWERING INSPECTORS APPOINTED BY SAID BOARD TO MAKE ARRESTS IN CERTAIN CASES.

SECTION
1. Inspectors may arrest, when.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Inspectors may arrest, when.

SECTION 1. Section 3 of chapter 165 of the laws passed at the June session, 1885, is hereby amended by adding at the end thereof the following words: Said inspectors are hereby empowered to make arrest in said city of Manchester and in the town of Auburn, in the county of Rockingham, of any person who shall, in said city or town, violate any of the laws of the state relative to health or relative to the protection of waters used as a source of supply for domestic purposes in any city or town; and for the purpose of making such arrest said inspectors are vested with the powers of constables, so that said section as amended shall read as follows: SECT. 3. The board of health hereby constituted shall have and exercise all the powers vested in, and shall perform all the duties prescribed to health officers of towns under the statutes, and shall have power to appoint such sanitary inspectors as they may deem necessary, and define their duties, term of service, and fix their compensation; *provided*, that the whole amount of such compensation shall not exceed the amount appropriated therefor by the city councils; and said inspectors so appointed shall be responsible to the board and under its control and direction; and it shall be the duty of said inspectors, under the direction of said board, to enforce the laws of the state, the ordinances of said city, and the regulations of said board relative to health, and make a report to said board in writing of all acts done by them, as such inspectors, once each month. Said inspectors are hereby empowered to make arrest in said city of Manchester and in the town of Auburn, in the county of Rockingham, of any person who shall, in said city or town, violate any of the laws of the state relative to health or relative to the protection of waters used as a source of supply for domestic purposes in any city or town; and for the purpose of making such arrest said inspectors are vested with the powers of constables.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 15, 1905.]

CHAPTER 175.

AN ACT TO AMEND THE CHARTER OF THE DERRY AND SALEM STREET RAILWAY CO.

SECTION
1. Time for building extended.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The time fixed in the charter of the Derry and Salem Street Railway Company approved March 24, 1903 is hereby extended to March 24, 1907 and said corporation shall have such additional time in which to build its road. Time for building extended.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 15, 1905.]

CHAPTER 176.

AN ACT TO REVIVE, AMEND AND EXTEND THE CHARTER OF THE DUNBARTON & GOFFSTOWN STREET RAILWAY COMPANY.

SECTION
1. Time for building extended.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The charter of the Dunbarton & Goffstown Street Railway Company approved March 31st 1903 is hereby revived and the time fixed in such charter is hereby extended to March 31st, 1907, and said corporation shall have such additional time in which to build its road. Time for building extended.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 15, 1905.]

CHAPTER 177.

AN ACT TO AMEND THE CHARTER OF THE CONCORD, DOVER & ROCHESTER STREET RAILWAY.

SECTION
1. Time for building extended.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for building extended.

SECTION 1. The time fixed in the charter of the Concord, Dover & Rochester Street Railway, approved March 31, 1903, chapter 310, Laws of 1903, in which to build its road, is hereby extended to March 31, 1907, and said corporation shall have such additional time in which to construct its road.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 15, 1905.]

CHAPTER 178.

AN ACT TO AMEND THE CHARTER OF THE NASHUA AND HOLLIS ELECTRIC RAILROAD COMPANY PASSED JANUARY SESSION 1903 EXTENDING THE TIME FOR THE COMPLETION OF ITS ROAD.

SECTION
1. Time for building extended.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for building extended.

SECTION 1. Section 13 of the act approved March 3, 1903 being chapter 249 of the session Laws of 1903 entitled "An act to incorporate the Nashua and Hollis Electric Railroad Company," is hereby amended by striking out the word "two" and inserting in place thereof the word four so that said section as amended shall read as follows: SECT. 13. This act shall take effect on its passage, but shall be void and inoperative as to all parts of said railway not constructed and ready for operation within four years from its passage.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 15, 1905.]

CHAPTER 179.

AN ACT TO AMEND SECTION 2 OF CHAPTER 127 OF THE LAWS OF 1877, ENTITLED "AN ACT TO INCORPORATE THE NEW HAMPSHIRE CONFERENCE PREACHERS' AID SOCIETY OF THE METHODIST EPISCOPAL CHURCH."

SECTION 1. Charter amended.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That section 2 of chapter 127 of the Laws of 1877, entitled "An act to incorporate the New Hampshire Conference Preachers' Aid Society of the Methodist Episcopal Church," be amended by striking out the word "twenty-five" and inserting in place thereof the words two hundred fifty in the third line of said section, so that said section, as amended, shall read: [SECT. 2.] Said corporation shall have the power to hold by gift, grant, bequest, purchase, or otherwise, any real estate or personal property which shall not exceed in value two hundred fifty thousand dollars. Charter amended.

[Approved February 16, 1905.]

CHAPTER 180.

AN ACT TO EMPOWER THE TOWN OF MILTON TO DISPOSE OF CERTAIN TRUST FUNDS HELD BY SAID TOWN.

SECTION 1. Authority granted.
SECTION 2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the town of Milton is hereby authorized and empowered, agreeable to their vote of the second Tuesday of March, 1903 to turn over the accumulated income, and the income that shall be received annually from the Nute Cemetery fund, to the Hayes Cemetery Association for the better care of said Hayes cemetery whenever said association shall be duly incorporated and shall include in its board of directors or trustees the selectmen of Milton and their successors in office, *provided* that the articles of incorporation of the Hayes Cemetery Association are approved by vote of said town. Authority granted.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 16, 1905.]

CHAPTER 181.

AN ACT TO EXTEND THE TIME FOR THE LOCATION, CONSTRUCTION AND COMPLETION OF THE RAILROAD OF THE KEARSARGE MOUNTAIN ELECTRIC RAILWAY COMPANY.

SECTION
1. Time for building extended.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for building extended.

SECTION 1. The time for the location, construction, and completion of the railroad of The Kearsarge Mountain Electric Railroad Company is hereby extended to the first of April, 1907.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 16, 1905.]

CHAPTER 182.

AN ACT TO EXTEND THE CHARTER OF THE UNCANOONUC INCLINE RAILWAY AND DEVELOPMENT COMPANY.

SECTION
1. Time for building extended.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for building extended.

SECTION 1. The time fixed in the charter of the Uncanoonuc Incline Railway and Development Company, approved March 25, 1903, is hereby extended to March 25, 1907, and said corporation shall have such additional time in which to build its road.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved February 16, 1905.]

CHAPTER 183.

AN ACT TO EXTEND THE CHARTER OF THE MEREDITH & OSSIPEE VALLEY RAILROAD COMPANY.

SECTION
1. Time for building extended.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The charter of the Meredith & Ossipee Valley Railroad Company approved March 25, 1903 and fixing two years as the period within which said railroad shall be completed is hereby so far amended as to extend the time fixed and limited for the completion of said railroad to March 25, 1907, and said corporation shall have such additional time in which to build its road. Time for building extended.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 16, 1905.]

CHAPTER 184.

AN ACT IN AMENDMENT OF "AN ACT TO INCORPORATE THE NORTH CONWAY & MOUNT KEARSARGE RAILROAD," PASSED JUNE SESSION, 1883, AND ALL SUBSEQUENT ACTS RELATING TO THE SAME.

SECTION
1. Time for building extended.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The time for the completion of the North Conway & Mount Kearsarge Railroad is hereby extended to the first day of July, 1908. Time for building extended.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 16, 1905.]

CHAPTER 185.

AN ACT TO AUTHORIZE THE SUNCOOK WATER-WORKS COMPANY TO EXTEND ITS WATER SYSTEM INTO THE TOWN OF HOOKSETT.

SECTION
1. Extension authorized.
2. Contracts authorized.

Be it enacted by the Senate and House of Representatives in General Court convened:

Extension authorized.

SECTION 1. The Suncook Water-works Company is hereby authorized to extend its water system into the town of Hooksett; and said corporation is authorized to enter upon and break ground, dig ditches and make excavations in any street, place, square, passageway, or highway in said town, through which it may be deemed necessary for the pipes and water-works of said corporation to pass, be, or exist, for the purpose of placing said pipes, hydrants, water-works, and such other material as may be deemed necessary for constructing said water-works, and to relay and repair the same, subject to such regulations as to the safety of citizens and security of the public travel as may be prescribed by the selectmen of said town of Hooksett.

Contracts authorized.

SECT. 2. Said corporation may make any contract with said town of Hooksett, or with any fire precinct in said town, or with any person or corporation, to furnish water, hydrants, and other means and apparatus for extinguishing fires, and for such other purposes as may be deemed necessary, and said town, or any fire precinct therein existing or hereafter organized, is hereby authorized to contract with said corporation for the use of said water, hydrants or other apparatus for said purpose, and may raise and appropriate money therefor; and said corporation is hereby authorized and empowered to sell or lease for a term of years to said town, or any precinct now existing or hereafter organized therein, all of its works, structures, and estate of whatever kind or nature; and said town or fire precinct, is hereby authorized to lease or purchase the same.

[Approved February 16, 1905.]

CHAPTER 186.

AN ACT TO CONFIRM THE INCORPORATION OF THE FIRST CONGREGATIONAL CHURCH OF WOLFEBOROUGH, NEW HAMPSHIRE, AS A RELIGIOUS ASSOCIATION, AND TO ENLARGE ITS POWERS.

SECTION
1. Corporation constituted.
2. Prior organization confirmed.
3. Powers of corporation.
4. Rules and by-laws.
5. Tenure of present officers.
6. List of members.
7. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The First Congregational Church of Wolfeborough is a religious association heretofore and now existing as a non-secular organization under the laws of this state. It is a non-secular religious association under the Congregational ecclesiastical polity, as distinguished from a secular society which has heretofore had a separate corporate organization, but heretofore acting in coöperation with the non-secular society and auxiliary to it. It is the purpose of this act to disassociate said societies and to establish the said First Congregational Church, heretofore a non-secular association, as a corporate body entirely disassociated from said secular society and with certain additional powers herein specified. Corporation constituted.

SECT. 2. Said non-secular association, known as the First Congregational Church of Wolfeborough, is hereby confirmed as a corporation duly organized and lawfully existing in accordance with and by virtue of the statutes of this state and its legal corporate existence and its right to have and exercise all the powers conferred upon similar religious associations by the laws of this state is hereby ratified and confirmed. Prior organization confirmed.

SECT. 3. Said First Congregational Church of Wolfeborough, heretofore being a non-secular religious association, and, as such a corporation, organized and lawfully existing for religious purposes, may hereafter have and exercise the powers of a secular religious corporation, independently of and without relations with any other secular society existing at said Wolfeborough and heretofore acting as a corporation or in any other relation with said non-secular association; and, under the powers hereby confirmed, said First Congregational Church may take and hold real and personal estate by deed, gift, devise, bequest, and otherwise for the religious, charitable, reformatory, and educational purposes of said corporation, not exceeding the sum of two hundred thousand dollars. Said corporation may manage, sell, convey, lease, and otherwise dispose of its property as it may deem fit, and may make contracts, establish by-laws for its own government, sue and be Powers.

sued, and prosecute to final judgment and execution in the manner prescribed by law for similar corporations.

Rules and by-laws.

SECT. 4. The rules and by-laws of said First Congregational Church as heretofore by it provided and adopted for its government and for the management of its affairs and the ecclesiastical purposes of the said church, not repugnant to the laws of the state, shall be retained and continued in force by said corporation, until the same shall be altered, amended, or repealed by the lawful act of the corporation.

Tenure of officers.

SECT. 5. The present officers of said church shall hold their respective offices and exercise the powers lawfully belonging to the same until successors shall be elected or appointed agreeably to the by-laws or other rules of government of said church.

List of members.

SECT. 6. The clerk of said First Congregational Church of Wolfeborough shall within thirty days after the approval of this act make a list of the members of said First Congregational Church of Wolfeborough having, on the date of the passage of this act, the right of voting at the meetings of the said association and file a copy of the same, verified by the affidavit of said clerk, in the office of the secretary of state.

Repealing clause; act takes effect on passage.

SECT. 7. All acts or parts of acts inconsistent with this act are hereby repealed, and this act shall take effect upon its passage.

[Approved February 21, 1905.]

CHAPTER 187.

AN ACT TO CHANGE THE NAME OF THE CONGREGATIONAL SOCIETY OF PLAISTOW, AND THE MINISTERIAL FUND IN PLAISTOW AND TO ENABLE SAID SOCIETY TO HOLD PROPERTY AND TO PERFORM THE FUNCTIONS OF A CHURCH SOCIETY.

SECTION
1. Name changed.
2. Powers of corporation.
SECTION
3. Transfer of funds.
4. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name changed.

SECTION 1. The corporate name of the Congregational Society in Plaistow and the Ministerial Fund in Plaistow is hereby changed and said society shall hereafter be known as the Evangelical Congregational Church of Plaistow, N. H. and the North Parish of Haverhill, Mass.

Powers.

SECT. 2. Said corporation may acquire by purchase or otherwise real and personal estate, may receive and hold, gifts,

donations or bequests, given for the use of this church and manage real and personal property necessary and needful for the support of religious preaching in Plaistow and hold all property in trust now vested in or holden by either the Congregational Society in Plaistow, or the Ministerial Fund in Plaistow for the same purposes for which said property was holden by said societies.

Transfer of funds.

SECT. 3. The trustees of the Ministerial Fund in Plaistow are hereby authorized to transfer to the Evangelical Congregational Church of Plaistow, N. H. and the North Parish of Haverhill, Mass. all funds now holden by said society and the said Evangelical Congregational Church of Plaistow, N. H. and the North Parish of Haverhill, Mass. are hereby authorized to receive said funds for the purposes for which said fund was originally established and to exercise all the powers and privileges relating thereto heretofore legally exercised by the Ministerial Fund, *provided* the trustees of said Ministerial Fund shall relinquish its powers and privileges or shall be dissolved and cease to exist.

Takes effect on passage.

SECT. 4. This act shall take effect upon its passage.

[Approved February 22, 1905.]

CHAPTER 188.

AN ACT AUTHORIZING THE TOWN OF GORHAM TO ESTABLISH WATER-WORKS AND SEWERS.

SECTION
1. Water-works and sewers authorized.
2. Right of eminent domain.
3. Assessment of damages.
4. Board of water commissioners established.
5. Powers and duties of commissioners.
6. Issue of bonds.
7. Appropriations authorized.
8. Contracts binding on town.
9. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Water-works authorized.

SECTION 1. The town of Gorham is authorized and empowered to construct, own, maintain and manage suitable water-works for the purpose of supplying said town with an adequate supply of pure water for the extinguishment of fires, for the use of its inhabitants and for other purposes; it is also authorized and empowered to construct, own, maintain and manage a system of sewers with all necessary man-holes, catch basins, flush tanks, traps and other apparatus and fixtures proper and convenient for the purpose of adequately draining and sewering the streets and buildings of said town;

and may acquire by purchase or otherwise any existing sewer or sewer rights owned and operated by any individual, partnership, or corporation in the public streets of said town; and for such purposes may take, purchase and hold, in fee simple, or otherwise, any real or personal estate and any rights therein necessary to carry into effect the purposes of this act; and may excavate and dig canals and ditches and lay pipes in any street, highway, or other place through which it may be necessary and proper for building said water-works and system of sewers and necessary appurtenances thereto, and may relay, extend and repair the same at pleasure, having due regard for the safety of persons and property and the security of the public travel.

Right of eminent domain.

SECT. 2. Said town is authorized and empowered to enter upon, take and appropriate any stream, spring or pond in said town not now belonging to and in actual use by, any aqueduct or water-works company, or other corporation or individual, as a source of supply to any aqueduct now laid and supplying water to any of the inhabitants of said town and not now owned or used by a manufacturing corporation for domestic or manufacturing purposes; to secure the same by fence or otherwise; and to dig ditches and canals, make excavations, distribute and lay pipe and other necessary appurtenances of said water-works and sewer system, build dams and reservoirs, through, over, in, or upon any land or enclosure in said town which may be necessary for said aqueduct and sewer system to pass, or said excavations, dams, reservoirs, water-works and system of sewers to be or exist for the purpose of obtaining, holding, preserving or conducting such water and placing such pipes or other material or works as may be necessary for building, operating, extending or repairing the same. Said town is further authorized and empowered to take and appropriate any land that may be necessary to protect any water supply that it may establish or acquire.

Assessment of damages.

SECT. 3. In case the town shall not be able to agree with the owner of any property, or right taken for the purposes of this act, for the damages to be paid therefor, or in case the owner is unknown, either party may apply to the superior court for the county of Coös at any trial term thereof to have the same laid out and the damages determined; and the said court shall refer the same to the county commissioners of said county, who shall appoint a time and place of hearing and give notice thereof in the same manner as is now provided by law for the laying out of highways; and the said commissioners shall make report to the court and said court may issue execution thereon accordingly; but if either party shall desire it, upon application to said court, before reference to said commissioners, they shall be entitled to a trial by jury, in such manner and under such regulations as the court may prescribe.

Provided, however, that entry upon and taking of property, rights and estate, laid out and taken for the purposes of this act, shall not be postponed by reason of any failure of the parties to agree upon the compensation to be paid or by reason of proceedings being instituted by either party for the assessment of damages as provided in this act, but said municipal corporation may enter upon, take or occupy such property, rights and estate by filing a bond to the satisfaction of the superior court or the clerk thereof conditioned on the payment of all damages that may be afterwards agreed upon or allowed in any case.

Water commissioners.

SECT. 4. Said town is also authorized and empowered to contract with individuals and corporations for supplying them with water and to make such contracts and to establish such regulations and tolls for the use of water and sewers as may from time to time be deemed proper; and for the more efficient and convenient management of said water-works and sewer system, the said town shall place them under a board of commissioners consisting of three persons who shall be legal voters of said town, said commissioners to be vested with such powers and duties relating to the construction, control, management and direction of the same as may from time to time be prescribed by said town. Their term of office shall be for three years and until their successors are elected and qualified. The first board of commissioners may be chosen by the legal voters of the town at the next or any subsequent annual meeting, or any special meeting duly called for that purpose, and their successors shall be elected at each annual meeting thereafter; *provided, however*, that of those first elected, the term of one shall expire at the first annual meeting after the first board is elected, one at the second annual meeting held thereafterwards, and one at the third annual meeting thereafterwards; and after the first election one shall be elected for three years at each annual meeting, to fill the occurring vacancy: *provided further*, that the term of service of the commissioners first elected shall be designated at the time of their election. Said commissioners shall be appointed by the selectmen of said town if the town shall fail to elect, or if the town at any annual meeting vote to authorize and instruct the selectmen to make the appointment.

Powers and duties.

SECT. 5. The compensation of such commissioners shall be fixed by the town. They shall be sworn to the faithful discharge of their duties. They shall annually organize by choosing one of their number as chairman of their board and another member as clerk of their board who shall keep a proper record of their doings. Said board shall appoint a superintendent of the water-works plant and sewer system and a treasurer, who shall furnish a good and sufficient bond to the town to secure the faithful performance of his duties; and

such other officers and agents as they may deem necessary; and they shall furnish the town clerk a certificate of their organization and appointments and the town clerk shall record the same in the records of the town. The commissioners shall fix the compensation of all officers and agents appointed by them and all officers and agents shall be sworn to the faithful discharge of their duties. Whenever a vacancy shall occur from any cause, the remaining members of the board shall certify that fact to the selectmen of the town, who shall fill such vacancy temporarily by appointing a citizen of said town in writing, which appointment shall be filed with the town clerk and recorded by him on the records of the town; and the person so appointed shall hold the office until the next annual town meeting after his appointment, when the town shall elect a commissioner to fill out the unexpired term, if any, of the person whose office became vacant and was so temporarily filled by appointment. Said commissioners shall annually make a report to the town, at the time other town officers report, of the condition of said water-works and sewer system financially and otherwise, showing the income from said water-works and sewer system, the funds belonging to their departments, the expenses of maintenance, the costs of works and plant, the costs of extensions and operating expenses and such other facts and information as the town should have, which report shall be published each year in the annual report of said town.

Issue of bonds.

SECT. 6. The said town is authorized to levy taxes to defray the expense of said works and sewer system and to hire money not exceeding the whole sum of sixty thousand dollars, and to issue therefor the notes bonds or other obligations of the town payable at such times and on such interest, not exceeding five per centum per annum, as the town, through its officers or agents, may determine; and such notes, bonds or other obligations shall be valid and binding on the town.

Appropriations authorized.

SECT. 7. Said town is hereby authorized to raise by taxation and pay in each year the interest of the notes, bonds or other obligations so issued, and such part of the principal as the said town may determine, or to create a sinking fund to meet the same as they become due.

Contracts binding on town.

SECT. 8. All contracts and obligations made and assumed by said town within the scope of this act and for the purpose of carrying into effect the objects herein set forth, shall be valid and binding according to the terms thereof.

Takes effect on passage.

SECT. 9. This act shall take effect on its passage.

[Approved February 22, 1905.]

CHAPTER 189.

AN ACT TO INCORPORATE THE HAYES CEMETERY ASSOCIATION IN THE TOWN OF MILTON, NEW HAMPSHIRE.

SECTION
1. Corporation constituted.
2. Purposes.
3. Powers.
4. May hold land.
5. Lot-owners are members.
6. First meeting.
7. Subject to repeal.
8. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Henry B. Hayes, John P. Hayes and Robert M. Peacock of Milton, and Horace T. Babb of Dover, and Eugene P. Nute of Farmington, and their associates and successors and Haven R. Jewett, Joseph H. Avery and Charles A. Jones as selectmen of the town of Milton while in office, and their successors, are hereby made a body politic and corporate by the name of The Hayes Cemetery Association, and shall have and enjoy all the powers and privileges and be subject to all the liabilities incident to corporations of similar nature. Corporation constituted.

SECT. 2. Said corporation is hereby established for the purpose of providing and maintaining suitable grounds and other conveniences for the burial of the dead, and shall have the control and care of the cemetery located on the farm of Eugene P. Nute in the town of Milton known as the Hayes cemetery in so far as is consistent with the rights of owners of lots therein. Purposes.

SECT. 3. Said corporation is empowered to receive bequests, legacies, and funds in trust for the benefit of said cemetery grounds or any lot therein, and to expend annually the income of the same, or so much thereof as may be necessary according to the terms of any such bequest, legacy or trust and of the laws of the State of New Hampshire, and they are hereby empowered to receive from any trustee any funds now held for the benefit of said cemetery or any lot therein, and to execute the terms of said trust. Powers.

SECT. 4. Said corporation is hereby empowered to receive and hold by purchase or otherwise such additional land as may be necessary to the proper maintenance and care of said Hayes cemetery. May hold land.

SECT. 5. Any owner of a lot in the Hayes cemetery at the time of the passage of this act, or any person having relatives buried therein, or any person who shall become an owner of a lot after the passage of this act shall have the right to become a member of this association. The association may also by a majority vote elect such other persons to membership as they may deem expedient. Lot-owners members.

First meeting. SECT. 6. Any person named in this act may call the first meeting of this corporation by personal notice either in writing or printing, delivered or mailed to each corporator at least ten days before the time of such meeting, at which or any subsequent meeting officers may be chosen and such rules or by-laws not repugnant to the laws of this state as may be thought proper, may be adopted.

Subject to repeal. SECT. 7. The legislature may alter, amend or repeal this act whenever in their opinion the public good requires it.

Takes effect on passage. SECT. 8. This act shall take effect on its passage.

[Approved February 23, 1905.]

CHAPTER 190.

AN ACT TO AMEND CHAPTER 251 OF THE SESSION LAWS OF 1903 RELATIVE TO THE WATER-WORKS IN THE TOWN OF WOLFEBOROUGH.

SECTION
1. Water-works under control of selectmen.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Water-works under control of selectmen. SECTION 1. That section 1 of chapter 251 of the Laws of 1903 is hereby amended by striking out after the word "control" in the sixth line of said section the words "of a board of three water commissioners" and inserting instead thereof the words of the board of selectmen of said town and by striking out the last clause of said section beginning with the semicolon in the nineteenth line of the same and inserting instead thereof the following: with such powers and duties as from time to time may be prescribed by the selectmen or by said town. So that, as amended, said section shall read: Said town is authorized and empowered to contract with individuals and corporations for supplying them with water, and to make such contracts and establish such regulations and tolls for the use of water, as may from time to time be deemed proper; and the said town shall place said water-works under the direction and control of the board of selectmen of said town who may appoint and employ all necessary officers, agents, and servants with such powers and duties as from time to time may be prescribed by the selectmen or by said town.

Takes effect on passage. SECT. 2. This act shall take effect upon its passage.

[Approved February 23, 1905.]

CHAPTER 191.

AN ACT TO INCORPORATE THE CHARLESTOWN WATER AND SEWER COMPANY.

SECTION
1. Corporation constituted; purposes.
2. Capital stock.
3. Powers; right of eminent domain.
4. May construct and purchase sewers.
5. Assessment of damages.
6. Contracts authorized.
7. Injury to property, how punished.
8. First meeting.
9. Takes effect on passage; subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Frank W. Hamlin, Fred H. Perry, William H. Tinker, Henry E. Cowan and Wallace L. Mason, their associates, successors and assigns, be and they are hereby made a body politic and corporate by name of the Charlestown Water and Sewer Company, for the purpose of furnishing to the people of Charlestown a supply of pure water for domestic and public purposes, for the extinguishment of fires, for manufacturing and all other uses; and also to furnish the village of Charlestown such sewers for the public use as may be from time to time required, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and are hereby vested with all the powers and privileges and subject to all the liabilities incident to corporations of a similar nature. Corporation constituted; purposes.

SECT. 2. The capital stock of said corporation shall consist of such number of shares of one hundred dollars each as may from time to time be determined by the corporation, not exceeding in the whole the sum of one hundred thousand dollars, to be divided between preferred and common stock in such proportions as the corporation may determine, the preferred stock to be subject to retirement if so provided by the corporation. Said corporation may acquire and hold all real estate and personal property necessary and convenient for its purposes. It may also issue bonds for such sums of money as it may borrow not exceeding in the whole the sum of fifty thousand dollars, as its stockholders may from time to time determine, and secure the same by such mortgage or mortgages of its franchise and property as they may direct. Capital stock.

SECT. 3. The said corporation for the purposes aforesaid may take and hold by purchase, or may take as for public uses any real estate or easement therein, including the waters, or so much thereof as may be necessary, of any ponds, springs, streams or wells or of any filter galleries or wells that may be constructed upon the shore of any pond, or near to any spring or stream, and any other rights in said Charlestown, and it may establish reasonable rates, rents and dues for the use of its privileges, and may collect the same from all individuals or Powers; right of eminent domain.

corporations served thereby. Also in like manner it may take and hold by purchase, or may take as for public uses all real estate or rights of way and easements necessary for the location, construction, and maintenance of all dams, reservoirs, conduits, pipes, hydrants and all necessary appurtenances and appliances, for the holding and preserving such waters, and for the conveying and distributing the same in any part of Charlestown or in any village district in said town now or hereafter established. For the distribution thereof it may lay pipes through the land of persons and corporations, and along the streets and ways of said town, having first obtained the permission of the selectmen of said town, and under such regulations and restrictions as they may prescribe, and may lay its pipes under or over any railroad, water course, or private way, and may cross any sewer or drain pipe, in such manner, however, as will not unnecessarily obstruct the same. Said corporation may also acquire, by purchase or lease from any other corporation such power and water rights as it may deem requisite for its purposes.

May construct and purchase sewers.

SECT. 4. Said corporation is also authorized and empowered to construct and maintain a suitable and convenient sewer system for the proper drainage and sewage disposal of the village of Charlestown and in said Charlestown and may acquire by purchase or otherwise, the sewer and sewer rights now owned and operated by any individual in said village. It may acquire by purchase or take as for public uses such real estate or easements therein in said village as may be necessary for its uses. It may lay its pipes through the land of persons and corporations, and along the streets and ways of said village, and over and across any railroad, water course or private way and cross any drain or sewer pipe, *provided* the permission of the selectmen of said Charlestown is first obtained, and no unnecessary damage or obstruction is caused thereby, and in like manner it may put in all manholes, traps, hydrants, and other apparatus, fixtures, buildings and structures necessary for the proper and convenient use of the sewer system it is hereby authorized to acquire, construct and maintain.

Assessment of damages.

SECT. 5. Said corporation shall pay all damages sustained by any person or corporation in property, by taking of any land or easement therein, water course or water right, or by the erection of any dam, building, or structure or any other thing done by it under the authority of this act. In case however, said corporation shall not be able to agree with the owners thereof for the damages that may be done by said company or the owners shall be unknown, either party may apply to the superior court for the county of Sullivan at any trial term thereof to have the same laid out and the damages determined, and the said court shall refer the same to the county commissioners of said county, who shall appoint a time and place of

hearing and give notice thereof in the same manner as is now provided by law for the laying out of highways; and the said commissioners shall make report to the court, and said court may issue execution therein accordingly; but if either party shall desire it, upon the application to said court, before reference to said commissioners they shall be entitled to a trial by jury, in such manner and under such regulations as the court may prescribe.

Contracts authorized.

SECT. 6. Said corporation may make any contract with the town of Charlestown, or any village district in said town now or hereafter established, or with any persons or corporations, to furnish water, hydrants and other means and apparatus for the extinguishment of fires, for sewers or for such other purposes as may be deemed necessary and said town or village district is hereby authorized to contract with said corporation for the use of said water, hydrants, sewers and other means and apparatus for said purposes, and may raise and appropriate money therefor; and the said corporation is hereby authorized and empowered to sell or lease for a term of years to said town or any fire district or fire precinct now existing or hereafter organized therein, all or any part of its franchise, works structures, or estate of whatever kind or nature, and said town and fire district or precincts are hereby authorized to purchase or lease the same and to borrow upon the credit of such town or districts such an amount as may be necessary to enable them to do so, upon such terms and times as may be deemed expedient.

Injury to property, how punished.

SECT. 7. Any person who shall wilfully and maliciously corrupt the waters of any or [of] the sources of supply, or reservoirs of said company, or shall wilfully injure any powerhouse, dam or reservoir, conduit, pipe, hydrant, sewer or sewer-pipe, or other property held, owned or used by said company for the purposes of this act, shall on conviction of either of said acts, be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding one year.

First meeting.

SECT. 8. Any two of the corporators named in this act may call the first meeting of the corporation, by giving or mailing a notice in writing to each of said corporators of the time and place of meeting, seven days at least before said meeting, and at said meeting or any adjourned meeting thereof or at any subsequent meeting duly called associates may be admitted, directors and all proper officers chosen, the number of shares fixed, and such by-laws and regulations adopted as may be deemed necessary to carry into effect the purposes of this act.

Takes effect on passage; subject to repeal.

SECT. 9. This act shall take effect upon its passage, and the legislature may alter, amend or repeal the same whenever the public good requires.

[Approved February 23, 1905.]

CHAPTER 192.

AN ACT TO INCORPORATE DIVISION NO. 7, ANCIENT ORDER OF HIBERNIANS, OF MANCHESTER, N. H.

SECTION
1. Corporation constituted.
2. Enactment of by-laws.
3. Right to hold property.
4. First meeting.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted.

SECTION 1. That John B. Rodgers, James F. Byrne, Edward J. O'Keefe, Patrick J. Donnelly and John B. Cavanaugh, their associates and successors, be and hereby are made a body politic and corporate by the name of Division No. 7, Ancient Order of Hibernians, of Manchester, N. H., for charitable and benevolent purposes; and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are made subject to all the liabilities of corporations of a similar nature.

By-laws.

SECT. 2. Said corporation may enact by-laws providing for the payment of weekly benefits to those of its members who may become sick, and for the payment of funeral expenses of those of its members who may die.

Property.

SECT. 3. Said corporation shall have power to hold real and personal estate by gift, bequest or otherwise, to an amount not exceeding five thousand dollars, and may dispose of the same at pleasure.

First meeting.

SECT. 4. The first three persons named in this act may call the first meeting of said corporation by giving notice to each of the others at least two days before the date of said meeting.

Takes effect on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved February 28, 1905.]

CHAPTER 193.

AN ACT IN AMENDMENT OF THE CHARTER OF THE NASHUA LIGHT, HEAT AND POWER COMPANY, BEING CHAPTER 1049 OF THE LAWS OF 1850, AMENDED BY CHAPTER 202 OF THE LAWS OF 1887, AND FURTHER AMENDED BY CHAPTER 137 OF THE LAWS OF 1891.

SECTION
1. Increase of capital stock.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The Nashua Light, Heat and Power Company is hereby empowered to increase from time to time its capital stock, being now five hundred thousand dollars, to an amount not exceeding six hundred thousand dollars, a sufficient amount of said increase to be used in payment of the floating indebtedness of said company. Increase of capital stock.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved February 28, 1905.]

CHAPTER 194.

AN ACT TO INCORPORATE THE DERRY GAS LIGHT COMPANY.

SECTION
1. Corporation constituted.
2. Property and capital stock.
3. Laying of pipes.
4. First meeting.
5. Subject to repeal.
6. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Edmund R. Angell, Amos L. Proctor, G. Clement Colburn, Edwin B. Weston, Patrick T. Clair, Harry W. Wilson, Guy D. Chadwick, Hector E. Bidwell and Samuel J. Cogswell, their associates, successors and assigns are constituted a body corporate and politic by the name of the Derry Gas Light Company and vested with all the powers and privileges and made subject to all the restrictions and liabilities by law, incident to corporations of a similar nature. Corporation constituted.

SECT. 2. The said corporation is authorized to hold such real and personal estate as may be necessary and proper to enable them to carry on the manufacture or sale and distribution of gas for light, heat and power for the purpose of lighting the streets and to furnish gas to the factories and public and private buildings in the towns of Derry and Londonderry and Property and capital stock.

to erect such buildings and works and to construct such furnaces, reservoirs, gas holders, gas pipes and other things as may be requisite and proper for such purpose; *provided* the whole amount of the capital stock of said company shall not exceed one hundred thousand dollars.

Laying of pipes.

SECT. 3. The said company shall have the right to lay gas pipes in any of the public highways in said Derry and Londonderry and to relay and repair the same subject to such regulations as may be prescribed by said towns of Derry and Londonderry for the security of the public travel and the health of said towns.

First meeting.

SECT. 4. The three persons first named in this act or any two of them may call the first meeting of said corporation by notice published in any newspaper published in said Derry.

Subject to repeal.

SECT. 5. The legislature may at any time alter, annul or repeal this act.

Takes effect on passage.

SECT. 6. This act shall be in force immediately upon its passage.

[Approved February 28, 1905.]

CHAPTER 195.

AN ACT TO ESTABLISH A VILLAGE DISTRICT IN THE TOWN OF RYE.

SECTION
1. District constituted; limits.
2. First meeting.
3. Annual meeting.
4. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

District constituted; limits.

SECTION 1. So much of the territory of the town of Rye as is comprised within the following described lines—viz; beginning on the town line between North Hampton and Rye at the Atlantic ocean; thence running northwesterly by said town line to a stone post in the ground in the field in the rear of buildings of Alfred Jenness and on the southerly side of Woodland road, so called, and thirty-three (33) feet therefrom; thence turning and running N. 69° 30′ E. three thousand eight hundred and sixty (3860) feet through land of Alfred Jenness, Geo. White, C. W. Jones and J. A. Brown to the northerly side of Love lane, so called, at a point nine hundred and ten (910) feet westerly from Central street, so called; thence turning and running N. 74° 40′ E. on the westerly side of Love lane nine hundred and ten (910) feet to the westerly side of Central street; thence on the same course across Central street and on

the southerly side of the right of way of A. P. Brown (from Central street to pasture land easterly) thirteen hundred and thirty (1330) feet; thence turning and running S. 43° E. twenty-three hundred and fifty (2350) feet through land of J. H. Perkins and along the easterly side of land of Decatur Parsons to the Atlantic ocean—shall be constituted a village district in said town for any or either or all purposes enumerated in section 1 of chapter 53 of the Public Statutes.

First meeting.

SECT. 2. The selectmen of said town of Rye, within sixty days from the passage of this act shall call a meeting of the legal voters residing in said district, in the manner provided for in section 2 of said chapter 53 of the Public Statutes. At such meeting the legal voters shall give to said district a name, choose the necessary officers therefor, to hold office until the first annual meeting thereof; and the district thereafter shall be a body politic and corporate, and shall be considered for all purposes whatsoever, the same as if lawfully organized and existing under chapter 53 of the Public Statutes.

Annual meeting.

SECT. 3. The annual meeting of said district shall be holden on the first Tuesday of September in each year and the fiscal year of said district shall begin on the first day of September in each year.

Takes effect on passage; repealing clause.

SECT. 4. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

[Approved March 1, 1905.]

CHAPTER 196.

AN ACT TO ESTABLISH A VILLAGE DISTRICT IN THE TOWN OF NORTH HAMPTON.

SECTION
1. District constituted; limits.
2. First meeting.
3. Annual meeting.
4. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

District constituted; limits.

SECTION 1. So much of the territory of the town of North Hampton as is comprised within the following described lines—viz, beginning on the town line between Hampton and North Hampton at the Atlantic ocean; thence running northwesterly one thousand (1000) feet more or less to a stone post set in the ground on said town line on land of G. Garland thence turning and running N. 41° E. three thousand six hundred and ninety (3690) feet to the easterly side of Atlantic avenue, so

called, at the division line between land of Nathaniel Tarlton and Charles Brown; thence turning and running N. 44° E. on said division line between Tarlton and Brown, eight hundred and forty-one (841) feet to land of O. A. Brown; thence turning and running N. 75° W. on the division line between O. A. Brown and Charles Brown fifty-eight (58) feet to land of E. D. Brown; thence turning and running N. 44° — 15′ E. on the division line between land of O. A. Brown and E. D. Brown, two hundred and ninety-six (296) feet to the new road, so called; thence on the same course across said new road, and field of E. D. Brown, three hundred (300) feet to a spotted stake set in the ground on line of stone wall between field and pasture land of E. D. Brown; thence turning and running N. 4° 20′ W. five thousand eight hundred and seventy (5870) feet to a stone post set in the ground on the town line between North Hampton and Rye, said stone post being in the field in the rear of buildings of Alfred Jenness on the southerly side of Woodland road, so called, and thirty-three (33) feet therefrom; thence southeasterly by the town line between North Hampton and Rye to the Atlantic ocean—shall be constituted a village district in said town for any or either or all purposes enumerated in section 1 of chapter 53 of the Public Statutes.

First meeting.

SECT. 2. The selectmen of said town of North Hampton within sixty days of the passage of this act shall call a meeting of the legal voters residing in said district, in the manner provided for in section 2 of chapter 53 of the Public Statutes. At such meeting the legal voters shall give to said district a name, choose the necessary officers therefor, to hold office until the first annual meeting thereof; and the district thereafter shall be a body politic and corporate, and shall be considered for all purposes whatsoever, the same as if lawfully organized and existing under chapter 53 of the Public Statutes.

Annual meeting.

SECT. 3. The annual meeting of said district shall be holden on the first Tuesday of September in each year and the fiscal year of said district shall begin on the first day of September in each year.

Takes effect on passage; repealing clause.

SECT. 4. This act shall take effect upon its passage, and all acts and parts of acts inconsistent herewith are hereby repealed.

[Approved March 1, 1905.]

CHAPTER 197.

AN ACT TO ALLOW THE CITY OF MANCHESTER TO EXEMPT CERTAIN PROPERTY FROM TAXATION.

SECTION
1. Exemption authorized.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the city of Manchester is hereby authorized to exempt from taxation the land and building held in trust by the Manchester Institute of Arts and Sciences for the Manchester Art Association known as the Balch bequest. Said exemption to remain in force only so long as the property remains in control of said institute. Exemption authorized.

SECT. 2. This act shall take effect on its passage. Takes effect on passage.

[Approved March 1, 1905.]

CHAPTER 198.

AN ACT TO AMEND THE CHARTER OF THE GOFF'S FALLS, LITCHFIELD & HUDSON STREET RAILWAY COMPANY.

SECTION 1. Time for building extended; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The time for the location, construction, and completion of the Goff's Falls, Litchfield & Hudson Street Railway is hereby extended to March 7, 1907. Time for building extended.

This act shall take effect on its passage. Takes effect on passage.

[Approved March 1, 1905.]

CHAPTER 199.

AN ACT TO AMEND THE CHARTER OF THE MANCHESTER AND HAVERHILL STREET RAILWAY COMPANY.

SECTION
1. Time for building extended.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Time for building extended.

SECTION 1. The time fixed in the charter of the Manchester and Haverhill Street Railway Company, approved March 31, 1903, chapter 311, Laws of 1903, in which to build its road is hereby extended to March 15, 1907.

Takes effect on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 1, 1905.]

CHAPTER 200.

AN ACT AUTHORIZING THE CONSTRUCTION AND MAINTENANCE OF A DAM OR DAMS ON OR ACROSS THE CONNECTICUT RIVER IN MONROE IN THE COUNTY OF GRAFTON.

SECTION
1. Corporation constituted; purposes.
2. May acquire shares of other corporations.
3. May maintain lines of wire.
4. Capital stock.
5. Issue of bonds.
6. May maintain dams.
7. May lay electric cables.
8. First meeting.
9. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; purposes.

SECTION 1. That A. S. Batchellor, of Littleton, Charles H. Hosford, of Monroe, Irving W. Drew, Ezra Mitchell, Chester B. Jordan, and Merrill Shurtleff of Lancaster, George Van Dyke, of Boston in the Commonwealth of Massachusetts, and Philo B. Van Dyke, of Barnet, in the State of Vermont, their associates, successors, and assigns, are hereby made a body corporate by the name of the Monroe Water Power Company, for the purpose of establishing, generating and operating water and electric power to be used for the purpose of manufacturing, milling, mining, heating, lighting, and operating electric railways, with full power to lease or sell any power generated by them for any of said purposes, or any other legal purpose within the limits of Grafton county in the State of New Hampshire, and the counties of Caledonia and Orange in the State of Vermont, with all the powers and privileges and subject to

all the duties and liabilities which are legally incident to such corporations.

May acquire shares of other corporations.

SECT. 2. Said corporation shall have the right to buy, sell, hold, vote, pledge and own shares of the capital stock of any other corporation having similar or partly similar franchises, within the counties named in this charter, and it shall also have the right to acquire by lease the property, rights, privileges and immunities of any corporation or corporations doing business within said counties, upon such terms and conditions as shall be mutually agreed upon, and upon such purchase or lease and transfer and conveyance of the same to the company, it shall succeed to and enjoy all the rights, privileges and immunities enjoyed and belonging to the purchased or leased company.

May maintain lines of wires.

SECT. 3. The said company is hereby authorized to construct and maintain its lines of wires in accordance with the laws of the State of New Hampshire.

Capital stock.

SECT. 4. The capital stock of said corporation shall not exceed the sum of one million five hundred thousand dollars, divided into shares of one hundred dollars each. The amount thereof, within said authorized limits shall be fixed by the corporators upon the organization of the company, and the same shall from time to time be increased as determined by the stockholders until all the one million five hundred thousand dollars has been issued. Said capital stock may be paid in cash or in property taken at a fair valuation, but no shares shall be issued until fully paid for. The said company shall have the right to acquire, own, or hold by lease or purchase, any and all property, both real and personal, that may be necessary or useful for the purpose of its business, and shall also have the power to sell, mortgage or lease its franchises, rights, and properties to any other corporation.

Issue of bonds.

SECT. 5. The said company may issue its bonds for the accomplishment of any of the purposes for which it is incorporated at such rates and times, and in such amounts as the stockholders may authorize; *provided* such bonds shall not be issued in amounts exceeding the amount of the capital stock actually paid in; and it may secure payment of such bonds, both principal and interest, by mortgage on its property and franchises.

May maintain dams.

SECT. 6. Said corporation is hereby authorized and empowered to construct and maintain a dam or dams, and all such works and structures as may be necessary and proper to carry into effect the objects aforesaid, on and across the Connecticut river at any point or points, place or places, in the towns of Monroe in the county of Grafton, and Barnet, in the State of Vermont, and to make and maintain all such canals and slips as may be necessary and proper for the purposes aforesaid; *provided*, *however*, that the structures authorized

by this act shall in no case be of such a character as to infringe the public right of the highway for the floating of logs down the said river in as free and convenient a manner as is afforded by the river in its natural condition.

May lay electric cables.

SECT. 7. Said corporation may lay suitable cables upon the bed of the Connecticut river from bank to bank, to be used for the transmission of electric currents for all the purposes set forth in this charter, and may use any other method or appliance for the transmission of said currents across said river, but not in any such manner as to obstruct the full and free use of said river as a public highway for the floating of logs.

First meeting.

SECT. 8. Any person named in this act may call the first meeting of the corporation by giving personal notice to all the grantees at least ten days before such meeting, at which meeting or any other meeting duly holden, associates may be elected, by-laws adopted, and a president, clerk, and such other officers and agents as may be deemed necessary may be chosen.

Takes effect on passage.

SECT. 9. This act shall take effect upon its passage.

[Approved March 1, 1905.]

CHAPTER 201.

AN ACT IN AMENDMENT OF CHAPTER 225 OF THE LAWS OF 1901, ENTITLED "AN ACT TO DEFINE, ENLARGE, AND CONFIRM THE POWERS OF THE VILLAGE PRECINCT OF HANOVER."

SECTION
1. Commissioners may make by-laws, etc.
2. Purchase or lease of land.
3. Adoption of act by precinct.
4. Takes effect on adoption; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Commissioners may make by-laws, etc.

SECTION 1. That section 5 of chapter 225 of the Laws of 1901 entitled "An act to define, enlarge, and confirm the powers of the village precinct of Hanover" be and hereby is amended by inserting after the words "Public Statutes" in the 21st line thereof the following words: The commissioners also shall have all the powers of city councils to make, amend, and repeal all salutary and needful by-laws, ordinances, and regulations, and to annex penalties not exceeding twenty dollars for the breach thereof, for any, or all of the purposes named, and as prescribed in section 10, subsections 2, 3, 4, 5, 6, 9, 10, 11, 12, and 14 of chapter 50 of the Public Statutes.

SECT. 2. That section 8 of the act aforesaid be and hereby is amended by striking out the words,—"but the land purchased for the precinct buildings and storage of its property shall not exceed one half acre," in lines 7, 8, 9 thereof, and inserting in lieu thereof the words,—but the land purchased or leased for the precinct shall not exceed such number of acres as shall be necessary and proper for the accomplishment of the purposes for which it is established. Purchase or lease of land.

SECT. 3. The village precinct of Hanover, comprising school district No. 1 of said town, established under laws heretofore in force, may adopt the provisions of this act at its annual meeting, or at any special meeting called for that purpose, pursuant to the provisions of section 2 of chapter 225 of the Laws of 1901. If at any meeting this act shall fail of adoption, it may, at the expiration of six months from such meeting, be again submitted for adoption, and if adopted the said village precinct and its commissioners thereupon shall be invested with all the powers specified herein, and shall be governed hereby. Adoption of act.

SECT. 4. This act shall take effect upon its adoption by said village precinct and thereupon all acts and parts of acts inconsistent herewith shall be repealed so far as they or any of them shall be applicable to said precinct. Takes effect on adoption; repealing clause.

[Approved March 8, 1905.]

CHAPTER 202.

AN ACT TO LEGALIZE THE ANNUAL ELECTION OF THE TOWN OF ALTON, HELD MARCH 8, 1904.

SECTION
1. Election legalized.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the annual election of the town of Alton held Tuesday, March 8, 1904, be and the same is hereby declared legal, and all acts done and all elections made at said meeting are hereby ratified and confirmed. Election legalized.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 8, 1905.]

CHAPTER 203.

AN ACT TO INCORPORATE THE CERCLE MARQUETTE, CANADIEN-FRANCAISE-INDEPENDANT OF NASHUA, NEW HAMPSHIRE.

SECTION
1. Corporation constituted; purposes.
2. First meeting.
3. Takes effect on passage; subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; purposes.

SECTION 1. That Julianna April, Eugenie Jauron, David Dion, E. N. Gendron and Marie Rose LeClair, their associates and successors, be and are made a body politic and corporate by the name of Cercle Marquette, Canadien-Francaise-Independant of Nashua, New Hampshire, for the purpose of uniting the French speaking people together for the promotion of mutual benevolence and charity amongst themselves, provide for and comfort its sick and distressed members by the payment of sick benefits, bringing financial aid to a deceased member's family by the payment of a uniform benefit and a death benefit created by an assessment upon its surviving members; provide for such other mutual benefit as from time to time they may deem necessary; promote sociability and sincerity amongst its members and improve their condition morally and mentally; hold property, real, personal or mixed to the amount of fifty thousand dollars; sue and be sued, prosecute and defend actions to final judgment and execution in their corporate name and put in operation such by-laws, ordinances and resolutions as may be in compliance with the laws of New Hampshire for the government of the affairs of the association.

First meeting.

SECT. 2. The first five members named, or either of them, may call the first meeting of this corporation at such time and place as they may deem expedient and in such manner as they may think proper.

Takes effect on passage; subject to repeal.

SECT. 3. This act shall take effect on its passage and the legislature may at any time, alter, amend or repeal the same, whenever in their opinion the public good requires it.

[Approved March 8, 1905.]

CHAPTER 204.

AN ACT IN AMENDMENT TO "AN ACT IN AMENDMENT OF THE CHARTER OF THE CITY OF NASHUA" RELATING TO THE COLLECTION OF FINES AND COSTS IMPOSED BY THE POLICE COURT.

SECTION
1. Fines, etc., payable to clerk of court.
SECTION
2. Takes effect April 1, 1905; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Amend chapter 1690 of the Laws of 1855 entitled "An act in amendment of the charter of the city of Nashua" by striking out all of section 2 and inserting the following: [SECT. 2.] All fees, fines and forfeitures imposed, ordered or decreed by the police court of said city or accruing or belonging to said city in any action or process heard in said police court, shall be paid to the clerk thereof in the same manner as they are now by law required to be paid to the marshal of said city; and the said clerk shall pay over such moneys so received by him to such person or persons as said court may order, and at the end of each quarter pay the remainder to the treasurer of said city; and the said clerk at the end of each year shall make a report of his receipts and disbursements for the year. Fines, etc., payable to clerk of court.

SECT. 2. This act shall take effect on the first day of April, 1905 and all acts and parts of acts inconsistent herewith are hereby repealed. Takes effect April 1, 1905; repealing clause.

[Approved March 8, 1905.]

CHAPTER 205.

AN ACT IN RELATION TO THE GRANTING OF EMPLOYMENT CERTIFICATES IN THE CITY OF MANCHESTER.

SECTION
1. By whom to be granted.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the duties devolving upon the superintendent of schools in relation to the employment of minors in manufacturing establishments, or in any mechanical, mercantile, or other employment, as set forth in section 11 of chapter By whom granted.

61, session Laws of 1901, may in the city of Manchester be performed and exercised by some person appointed by the superintendent of schools of said city of Manchester, with the concurrence of the school board of said city.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 8, 1905.]

CHAPTER 206.

AN ACT IN RELATION TO THE ENUMERATION OF CHILDREN BETWEEN THE AGES OF FIVE AND SIXTEEN YEARS IN THE CITY OF MANCHESTER.

SECTION
1. Enumeration, when and how made.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

When and how made.

SECTION 1. Agents appointed by the school board of the city of Manchester shall make an enumeration of the children of each sex between the ages of five and sixteen years, in the month of September of every third year, beginning with 1905, giving such items in regard to each child as may be required by the school board or the state superintendent of public instruction, and shall make a report to the school board not later than the month of December following.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 8, 1905.]

CHAPTER 207.

AN ACT TO REVIVE THE CHARTER OF THE COÖS AND ESSEX WATER COMPANY, APPROVED MARCH 9, 1899.

SECTION
1. Charter revived.
2. May construct sewers.
3. Right of eminent domain.
4. Assessment of damages.
5. Contracts authorized.
6. Time for construction extended.
7. Takes effect on passage; exemption clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter revived.

SECTION 1. An act entitled "An act to incorporate the Coös and Essex Water Company," approved March 9, 1899, is hereby revived and continued in force as fully and completely

to all intents and purposes, as if the same were incorporated at the present time.

May construct sewers.

SECT. 2. Section 1 of chapter 198 of the Laws of 1899 is hereby amended by inserting after the word "uses" and before the word "with" in the eighth line of said section, the following: and for the further purpose of constructing and maintaining a system of sewers for the use of the people of said town, so that said section when amended shall read as follows: SECTION 1. That John C. Hutchins, Frank L. Rowell, Bernard W. Fisher, Henry Kugleman, Alvin N. Taylor, Jeremiah Willard, their associates and successors, are hereby made a corporation by the name of the Coös and Essex Water Company, for the purpose of furnishing to the people of the town of Stratford a supply of pure water for domestic, mechanical, and manufacturing purposes, and to said town of Stratford water for the extinguishment of fires and other public uses, and for the further purpose of constructing and maintaining a system of sewers for the use of the people of said town, with all the rights, privileges, immunities, duties and obligations incident to similar corporations.

Right of eminent domain.

SECT. 3. Section 3 of said chapter 198 is hereby amended by adding to the end of said section the following: and for the further purpose of constructing and maintaining said system of sewers, so that said section when amended shall read as follows: SECT. 3. Said corporation may take and hold by purchase, or may take as for public uses, any real estate or easement therein, including the water of any ponds, streams, springs, or artesian wells, in the town of Stratford necessary for obtaining a sufficient supply of water, for the construction of reservoirs and laying pipes, and may erect and maintain all necessary dams, reservoirs, standpipes, and hydrants; it may lay its pipes through the lands of persons and corporations, having first obtained the permission of the municipal officers of said town, and, under such restrictions and regulations as they may prescribe, along the streets and ways of said town, and may lay its pipes under any railroad, water course, or private way, and cross any drain or sewer or pipe; *provided*, that in the matter of crossing pipes, it shall, at its own expense and within a reasonable time, replace, repair, and cover all such pipes and mains as may be displaced, injured, or disturbed during the construction or repair of its water-works; and it may enter upon and dig up any real estate, railroad, street, or way, for the purpose of laying pipes, or erecting hydrants or other fixtures, and maintaining and repairing the same: and it may do any other act or thing necessary, convenient, and proper to carry out the purpose of providing a supply of water and distributing the same to the inhabitants of said town for the uses aforesaid; and for the further purpose of constructing and maintaining said system of sewers.

Assessment of damages.

SECT. 4. Section 4 of said chapter 198 is hereby amended by striking out the word "water" in the first line of said section, so that said section when amended shall read as follows: SECT. 4. Said corporation shall pay all damages sustained by any person or corporation, in property by the taking of any land, right of way, water, water source, water right, or easement, or by the erecting of any dam, or by anything done by said company under the authority of this act. In case, however, said company shall not be able to agree with the owners thereof for the damages that may be done by said company, or the owners shall be unknown, either party may apply to the supreme court, at a trial term in the county of Coös, to have the same laid out and damages determined; and said court shall refer the same to the county commissioners for said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as now provided by law for laying out highways. Said commissioners shall make report to said court, and said court may issue execution therein accordingly; but if either party shall desire it, upon application to said court before reference to said commissioners, they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe.

Contracts authorized.

SECT. 5. Section 5 of said chapter 198 is hereby amended by inserting after the word "furnish" and before the word "water" in the third line of said section the words sewers for drainage, and catch basins, and also to furnish; and by inserting after the word "hydrants" and before the word "or" in the eighth line of said section the word sewers, so that said section when amended shall read as follows: SECT. 5. Said corporation may make any contract with said town of Stratford, or with any fire precinct in said town, or with any persons or corporations, to furnish sewers for drainage, and catch basins, and also to furnish water, hydrants, and other means and apparatus for extinguishing fires, and for such other purposes as may be deemed necessary; and said town, or any fire precinct therein now existing or hereafter organized, is hereby authorized to contract with said corporation for the use of said water, hydrants, sewers, or other apparatus for said purpose, and it may raise and appropriate money therefor; and said corporation is hereby authorized and empowered to sell or lease for a term of years to said town, or any fire precinct now existing or hereafter organized therein, all of its work, structures, and estate, of whatever kind or nature, and said town or fire precinct is hereby authorized to purchase or lease the same.

Time for construction extended.

SECT. 6. Section 9 of said chapter 198 is hereby amended by striking out the figures "1902" in the fourth line of said section and inserting in place thereof the figures 1908 so that said section when amended shall read as follows: SECT. 9.

And if said corporation shall not have expended at least twenty-five per cent. of the capital stock authorized by this act in the actual construction of water-works in accordance with the provisions of this act by December 1, 1908, this act shall therefore be void and of no effect.

SECT. 7. This act shall take effect and be in force from and after its passage, and the provisions of section 5, chapter 14 of the Public Statutes shall not apply thereto. Takes effect on passage; exemption clause.

[Approved March 8, 1905.]

CHAPTER 208.

AN ACT IN AMENDMENT OF THE CHARTER OF THE CAPITAL FIRE INSURANCE COMPANY.

SECTION
1. Powers enlarged.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The Capital Fire Insurance Company is hereby authorized to effect insurance against loss by cyclones, tornadoes or wind storms, and also to issue policies of marine insurance with all the power and privileges and all the liabilities of corporations doing business of a similar nature. Powers enlarged.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 8, 1905.]

CHAPTER 209.

AN ACT TO INCORPORATE THE NUTFIELD SAVINGS BANK OF DERRY.

SECTION
1. Corporation constituted.
2. Powers and duties.
3. May hold real estate.
4. Election of trustees, etc.
5. Duties of trustees.
6. What officers to receive salaries.
7. Meetings of corporation.
8. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That R. W. Pillsbury, Edwin N. Whitney, Charles W. Abbott, Charles N. Greenough, William B. Copp, Ralph Thyng, their associates and successors, and such other duly elected members as in this act provided, be and they hereby are constituted a body politic and corporate by the name of the Nutfield Savings Bank of Derry, to be located at Corporation constituted.

Derry, in our county of Rockingham, for the purpose of establishing and maintaining a mutual savings bank, and by the name and style aforesaid may sue and be sued, prosecute and defend to final judgment and execution, and shall be vested with all the powers, rights, privileges, and subject to all the duties and liabilities which by the laws of this state are or may be incident to corporations of a like nature.

Powers and duties.

SECT. 2. Said corporation may receive from any person or persons, corporations or associations disposed to enjoy the advantages of said savings bank any deposit or deposits of money, not exceeding five thousand dollars from any one person, corporation or association, except when made for the purpose of creating a sinking fund subject to the by-laws of said savings bank, and may use, manage and improve the same for the depositors in such manner as shall be convenient or necessary for the security and profitable investment thereof under the restrictions of the laws regulating the investment and management of such funds; and all deposits may be withdrawn, and the net income of the deposits divided, at such reasonable times and in such manner and proportions, and subject to such equitable rules and regulations, as said corporation shall prescribe, not repugnant to the laws of this state.

May hold real estate.

SECT. 3. Said corporation may purchase, hold, and acquire, by foreclosure of mortgage or otherwise, such real estate as savings banks are permitted to hold under the general laws of this state.

Election of trustees, etc.

SECT. 4. Said corporation, at its first meeting under this act, and at any annual meeting thereafter, shall have power to elect, by ballot and major vote of those present, other persons as members of this corporation, not exceeding fifty, including those who are at the time of such election members thereof. At the first meeting of said corporation, and at each subsequent annual meeting, there shall be chosen in the same manner from among the members, a clerk and a board of trustees, not exceeding fifteen in number, who shall hold their office until others are elected and qualified in their stead. The management of the business of said savings bank shall be committed to said trustees, under the restrictions of the by-laws of said corporation, and the laws of this state. Any vacancy in the board of trustees may be filled at a special meeting of said corporation called for that purpose. Said corporation at its first meeting shall enact such by-laws for the government and management of its business as shall not be incompatible with the laws of the state, and may from time to time at the annual meetings, or at a special meeting called for that purpose, alter and amend the same; but no by-law or regulation shall take effect or be in force until the same shall have been approved by the bank commissioners. Said corporation shall at its first meeting adopt a common seal which may be changed and

renewed at pleasure, and all deeds, conveyances, grants, covenants, and agreements made by the president of the bank, or any other person, acting under the authority of the board of trustees, shall be good and valid in law.

Duties of trustees.

SECT. 5. Said trustees shall qualify in the manner prescribed by law. They shall annually choose one of their number as president of said bank. They shall annually choose a treasurer and such other clerks, agents, servants as may be necessary for the proper management of the business of said bank, and may remove the same at pleasure. A majority of the trustees shall constitute a quorum.

Salaried officers.

SECT. 6. No member of the corporation shall receive any compensation for his services in said bank, nor derive any emolument therefrom; *provided however* that a reasonable compensation shall be paid to the officers of said bank, and others necessarily employed in transacting its business. No special deposits shall be received or special rates of interest allowed to any depositor.

Meetings.

SECT. 7. The first meeting of this corporation shall be called by any two of said incorporators within two years from the passage of this act by publishing a notice within one week of said meeting in the *Derry News* a newspaper published in said Derry; and all subsequent meetings of said corporation shall be notified by a like publication, signed by the president of said bank. Special meetings of the corporation may be called at any time by the president of said bank or by any two of the trustees, but no business shall be transacted at a special meeting unless the subject thereof shall have been stated in the published notice.

Takes effect on passage.

SECT. 8. This act shall take effect upon its passage.

[Approved March 8, 1905.]

CHAPTER 210.

AN ACT TO INCORPORATE THE COÖS COUNTY TELEPHONE COMPANY.

SECTION
1. Corporation constituted.
2. Capital stock.
3. Meetings of the corporation.
4. Powers.
5. Issue of bonds.
6. First meeting, how called.
7. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted.

SECTION 1. That John C. Hutchins, Walter Drew, John T. Amey, Frank G. McKellips, Thomas H. Van Dyke, Garvin R. Magoon, their associates, successors and assigns, be and

hereby are made a body politic and corporate, under the name of the Coös County Telephone Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are vested with all the rights, powers and privileges and made subject to all the duties and liabilities of corporations of like nature under the laws of the state, unless otherwise herein expressed.

Capital stock. SECT. 2. The capital stock of the corporation shall consist of such number of shares, not exceeding one hundred dollars each, as may from time to time be determined by the directors of said corporation, not exceeding in the whole the sum of twenty-five thousand dollars.

Meetings. SECT. 3. The annual and all special meetings of the corporation and of the directors shall be held at such times and places as may be provided by the by-laws of the corporation.

Powers. SECT. 4. Said corporation is empowered to purchase and hold in fee simple or otherwise real and personal estate necessary and reasonable for carrying into effect the purposes of said telephone company and of this act: and may by contract purchase and hold, lease or consolidate or connect with any existing telephone lines or companies in the New England states and the Dominion of Canada: and shall have all the powers and privileges as to the erection and maintenance of its poles, lines and other structures, now enjoyed by other telephone companies under the general law, and shall be subject to like duties and liabilities with respect thereto.

Issue of bonds. SECT. 5. Said corporation may borrow money and issue its bonds for any of the purposes for which it is incorporated, securing such bonds or loans by mortgage of its property and franchises.

First meeting. SECT. 6. The first three corporators named herein may call the first meeting of the corporation by giving notice in writing to each of the corporators, or by leaving the same at his usual place of abode, at least seven days before the meeting and at said meeting or any adjournment thereof, associates may be admitted, all proper officers chosen, the capital stock fixed and such by-laws and regulations adopted as may be deemed necessary to carry into effect the business of the corporation.

Takes effect on passage. SECT. 7. This act shall take effect upon its passage.

[Approved March 8, 1905.]

CHAPTER 211.

AN ACT IN REGARD TO THE TERM OF SERVICE OF WATER COMMISSIONERS FOR THE TOWN OF CLAREMONT.

SECTION
1. Terms of office fixed.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The water commissioners next chosen by said town of Claremont after the passage of this act shall serve in the order of their election respectively, for the terms one, two and three years, and thereafter at each annual town meeting one commissioner shall be chosen for the term of three years. Terms of office fixed.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 212.

AN ACT TO AMEND THE CHARTER OF THE CITY OF PORTSMOUTH.

SECTION
1. Corporate existence continued.
2. Rights and obligations saved.
3. Division into wards continued.
4. City council, how constituted.
5. Powers of city council.
6. Mayor, how chosen.
7. Duties of mayor.
8. Veto power of mayor.
9. Councilmen, how chosen.
10. Councilmen not to hold other offices, etc.
11. Dealings of councilmen with city.
12. Officers elected by city council.
13. Annual election of mayor and council.
14. Canvass of votes by city council.
15. Board of instruction.
16. Municipal year.
17. Police commissioners.
18. Police court.
19. Overseer of the poor.
20. Street commissioner.
21. Water commissioners.
22. Board of health.
23. Sinking fund commissioners.
24. Sinking fund commissioners, how chosen.
25. City auditor.
26. Bills not to be paid until audited.
27. False certification by auditor, how punished.
28. Unauthorized payment by city treasurer, how punished.
29. Excessive expenditure of funds, how punished.
30. Salaries of city officers.
31. Tenure of office.
32. Books of account and record.
33. City clerk.
34. Duties of chairmen of commissions.
35. Existing ordinances continued.
36. First election; act takes effect when.
37. Check-list for city election to be posted.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The inhabitants of the City of Portsmouth shall continue to be a body politic and corporate under the name of the "City of Portsmouth," and as such shall exercise and enjoy all the rights, immunities, powers and privileges, and Corporate existence continued.

shall be subject to all the duties and obligations now incumbent on or pertaining to said city as a municipal corporation.

Rights and obligations saved.

SECT. 2. All existing property now of said City of Portsmouth shall be vested in said city under the provisions of this amended charter, and all debts and obligations of said city shall be considered and shall continue for all purposes the debts and obligations of said City of Portsmouth under this amended charter.

Wards.

SECT. 3. Said City of Portsmouth shall continue to be divided in five wards as at present constituted.

City council.

SECT. 4. The administration of all fiscal, prudential and municipal affairs of said city, and the government thereof, shall, except as herein otherwise provided, be vested in one principal officer to be called the mayor, and one board consisting of nine members to be called the councilmen. The mayor and councilmen shall sit and act together and compose one body, and in their joint capacity shall be called the city council.

Powers of city council.

SECT. 5. The city council created by this act shall, except as herein otherwise provided, have all the powers, and do and perform, in reference to each other or otherwise, all the duties which mayors, board of aldermen and common councils of cities are by law authorized or required to do and perform, either separately or otherwise; and all provisions of statutes pertaining to the duties or powers of aldermen or common councils, separately or otherwise, shall be construed to apply to said city council, unless a contrary intention appears in this act.

Mayor, how chosen.

SECT. 6. The mayor shall be chosen annually, by the qualified voters of the city at large, voting in their respective wards, and shall hold office for the municipal year next following his election and until his successor is chosen and qualified.

Duties of mayor.

SECT. 7. The mayor shall preside in the city council, but shall not vote, except in case of equal division. He shall nominate all committees customarily appointed in the administration of city affairs by the mayor and city councils, subject to the approval of the council.

Veto power of mayor.

SECT. 8. The mayor shall have a negative upon all legislative and executive action in the administration of the fiscal, prudential and municipal affairs of the city, but not in any case where the council acts in a judicial or quasi-judicial capacity, nor where its acts concern its own membership or relate to the time, manner or order of its sessions or procedure, or to its election or appointment of any person or persons to any office established by statute or the city ordinances which is to be filled by the council. The veto of the mayor shall be exercised within seven days after the act done or vote passed, and not thereafter, and no vote can be passed over his veto

except by a vote of two thirds at least of all the councilmen elected.

Councilmen, how chosen.

SECT. 9. The councilmen shall be elected annually by plurality vote, one from each ward, and four at large, and shall hold office for the municipal year following their election, and until their successors are chosen and qualified. The four at large shall be voted for by the voters, voting in the same manner as the mayor is voted for.

Councilmen not to hold other offices, etc.

SECT. 10. No councilmen, while in office, shall be elected or appointed by the mayor or city council to any office of profit. Nor shall any councilman while in office, receive any pay or compensation of any sort, either as councilman or for any other personal service rendered for the benefit of the city, or be employed by the city, or any department, or branch thereof, for any compensation, excepting that this provision shall not apply to members of the fire department.

Dealings of councilmen with city.

SECT. 11. No councilman, or other official of the city, shall sell to or buy from the city any goods or commodities while in office other than by open competitive public bid.

Election of city officers.

SECT. 12. The city council shall annually on the first week day of January choose by *viva voce* vote on roll call by majority vote a city clerk, and shall annually on the second Thursday of January choose by *viva voce* vote on roll call by majority vote a street commissioner, a chief engineer of the fire department and assistant engineers, a city messenger, a city treasurer, a collector of taxes, a city auditor, a city solicitor, and such other officers not otherwise provided for who are by law or ordinance required to be chosen. When any vacancy shall occur in any of said offices, it shall be filled by the city council in like manner

Annual election of mayor and council.

SECT. 13. The annual meeting of the legal voters of said city for the choice of city and ward officers shall be holden on the second Tuesday of December. Said election shall be held and conducted in the same manner as now prescribed by law for the annual election in said city.

Canvass of votes by council.

SECT. 14. The city council shall annually meet on the Thursday next following the second Tuesday of December for the purpose of receiving and examining the returns of votes for mayor and for councilmen at large, and to take such action thereon as may be required by sections 2, 3 and 4 of chapter 47 of the Public Statutes, and said sections of said chapter shall apply to the election of councilmen at large.

Board of instruction.

SECT. 15. There shall be in said city a board of instruction consisting of the mayor *ex-officio* and twelve other members, which board shall have the powers and perform the duties now by law vested in and imposed on the board of instruction of said city and the high school committee thereof. Four members of said board shall be elected at large each year on the second Tuesday of December by those voters of said city

voting in their respective wards who are qualified under section 9 of chapter 90 of the Public Statutes. They shall be voted for on printed ballots, and the names shall not appear on the ballots containing the names of other municipal officers. The city clerk of said city shall prepare the said ballots containing the names of the candidates for the board of instruction in the same manner as the ballots are now prepared for other municipal officers. Candidates for the board of instruction may be placed in nomination by a regular caucus of any political party, or on nomination papers signed by thirty or more persons qualified to vote for members of the board of instruction. Said members shall hold office for three years from the first day of January following, and until their successors are chosen and qualified. The board of registrars of voters of said city shall prepare an additional check-list containing the names of such persons in said city who so desire who are entitled to vote at said election, whose names are not entitled to go on the check-list used at the annual election on the second Tuesday of December. This check-list shall be prepared at the same time and in the same manner as that used at the regular municipal election on the second Tuesday of December, and shall be certified to in a similar manner. It shall be posted in two public places in said city at least one week prior to said Tuesday of December. Any person may be elected a member of the board of instruction who is entitled to vote at the election thereof. No member of the city council, however, shall at the same time be a member of said board. The members of the present board of instruction shall hold office as members of the board hereby created until the first day of January of the years in which their respective terms of office expire, and until their successors are chosen and qualified.

Municipal year.

SECT. 16. The mayor and council shall meet for the purpose of taking the oaths of their respective offices at ten o'clock in the forenoon on the first week day of January. Said first week day of January shall be the beginning of the municipal year.

Police commissioners.

SECT. 17. The board of police commissioners, the board of registrars of voters, the board of assessors and the board of instruction as at present constituted shall continue in office under this amended charter, and all laws relating thereto shall continue in force.

Police court.

SECT. 18. The police court, as at present constituted, shall continue in office under this amended charter, except that the justice of said court shall pay to the special justice of said court the sum of two dollars per day for each day the special justice sits, and the city shall not be chargeable for the pay of the special justice.

Overseer of the poor.

SECT. 19. The city council shall annually on the second Thursday of January choose by a *viva voce* vote on roll call by majority vote an overseer of the poor who shall not be engaged during his term of office in any mercantile business or be an employé of any person, firm, or corporation so engaged. Said overseer shall have the powers and duties of the present board of overseers of the poor, and shall keep a detailed account of his receipts and expenditures authorized by him as such overseer and in detail of the persons and purposes for which such expenditures were made. If during his term of office the overseer of the poor becomes disqualified the city council shall elect his successor.

Street commissioner.

SECT. 20. The street commissioner shall be elected by the city council. The street commissioner shall have all the powers now conferred by law on similar officers, and he may be suspended by the mayor, and removed by the city council after hearing. In case of suspension by the mayor the latter shall present charges to the city council on which such suspension was based within two weeks of such suspension, and during the term of suspension the mayor shall act as street commissioner. The election of street commissioner shall take place on the second Thursday of January in each year beginning in 1906 by *viva voce* vote on roll call.

Water commissioners.

SECT. 21. The board of water commissioners shall continue in office under this amended charter, and all laws relating thereto shall continue in force, except that the mayor of the city without extra compensation shall be *ex-officio* a member and chairman of said board.

Board of health.

SECT. 22. There shall be in said city a board of health, consisting of three members, the chairman of which shall be a physician in active practice, and shall be the city physician. The city council on the second Thursday of January, 1906, shall by a *viva voce* vote on roll call by majority vote elect three persons as members of said board, one of whom shall serve for three years, one for two years, and one for one year and until their respective successors are chosen and qualified; the city council shall thereafter on the second Thursday of January choose by *viva voce* vote on roll call one member of the board of health, who shall serve for three years and until his successor is chosen and qualified. The salary of the chairman of the board of health shall be three hundred dollars, and this salary shall include his services in full as chairman of the board of health, and his services in full as city physician. The annual salary of the other two members of the board shall be fifty dollars each, and neither the city physician, nor the members of the board of health shall receive from the city or any department thereof any other compensation for services rendered to the city, or any department of the city, or in any form or for any purpose whatever. Said city physician and

said board of health shall have no power to incur any expense account whatever in behalf of the city without first submitting estimates of the same to the city council, and being authorized by the city council to undertake the expenditures.

Sinking fund commissioners.

SECT. 23. There shall be in said city a board of sinking-fund commissioners, consisting of the three persons now holding said office, who shall hold office for the term for which they were respectively chosen, and until their successors are chosen and qualified.

How chosen.

SECT. 24. The city council shall annually in the month of June choose by ballot one member of said commission, who shall hold office for the term of three years and until his successor is chosen and qualified. Their duties, powers and authority and the restrictions upon them shall be the same as now provided by the laws of the state and the ordinances of the city.

City auditor.

SECT. 25. The city auditor shall keep a record of the general financial condition of the city, of the amounts appropriated for each branch, board or department thereof, and of the receipts and expenditures of each branch, board or department. He shall twice in each year, and oftener if necessary, audit the accounts of all city officials, commissions and boards who receive, handle, or expend any moneys of the city, and shall report thereon to the city council twice in each year, and oftener if required. The city auditor shall give his entire time to the duties of the office.

All bills to be audited.

SECT. 26. No bill against the city shall be ordered paid by the city council, or paid by the city treasurer, until the auditor shall have approved the same and certified to said city council whether or not said bill was lawfully contracted; whether or not if it is for goods or materials, the prices charged are reasonable, also whether or not the goods were actually received by the city, and whether such bill is in favor of a person or party legally entitled to receive the same under the provisions of this act. He shall perform such other duties as are now or may hereafter be required by ordinance or by the city council.

False audit, penalty.

SECT. 27. If the auditor shall knowingly make any false certification in any case provided for in section 33, or shall approve any bill when the appropriation from which the same should be paid is exhausted, he shall be fined not exceeding two hundred dollars or imprisoned not exceeding six months, or both.

Unauthorized payment, penalty.

SECT. 28. If the treasurer shall pay any money from the city treasury, except an order of the city council after approval by the auditor, which order of the city council shall be certified to by the mayor, he shall be fined not exceeding two hundred dollars or imprisoned not exceeding six months or both, and he shall be personally bound to refund to the city any sum so paid.

SECT. 29. If any officer, board, or commission or member thereof, of said city, excepting the board of police commissioners, having authority to make contracts or expend money in behalf of the city, shall, by making any contract, purchasing any goods or employing any labor, or otherwise, undertake to make the city liable for any amount in excess of the funds available therefor from income or appropriation, said officer, board, or commission, or member thereof, shall be removed from office by the city council, after due hearing. Excessive expenditure, penalty.

SECT. 30. The various officers of said city shall be paid the following annual salaries, which shall be in full for all services, expenses and disbursements made by them while in office, and they shall receive no other compensation of any sort: The mayor five hundred dollars, payable quarterly. The city clerk one thousand dollars, payable monthly, and the fees fixed by law. The overseer of the poor two hundred dollars. The board of assessors fifty dollars each. The city treasurer five hundred dollars. The salary of the city solicitor shall be five hundred dollars, and this salary shall include his services and expenses in full to the city and every department of the same. The superintendent of streets one thousand dollars. The chief engineer of the fire department $400 per annum, the assistant engineers $100 per annum, all payable quarterly. The collector of taxes three fourths of one per cent. of the amount collected. The city auditor nine hundred dollars. The city messenger eight hundred dollars. The clerk of the board of water commissioners two hundred dollars the other two members of said board one hundred dollars each. Salaries.

SECT. 31. Unless otherwise provided for in this act, all officers of the City of Portsmouth shall hold office until the second Thursday of January 1906 and until their successors are chosen and qualified. All officers of the wards of said city shall hold office under this amended charter for the respective terms for which they were chosen and until others are chosen and qualified in their stead respectively. Tenure of office.

SECT. 32. All books of account, in relation to the receipt, holding or disbursement of moneys of the city kept by any official of the city, shall be paid for by the city, shall remain the property of the city, and shall be turned over to the city clerk whenever the keeper of the books of account retires from office. All books pertaining to city affairs kept by the city clerk, the overseer of the poor, the board of assessors, the city treasurer, the collector of taxes, and the city auditor shall be kept in the city building in their proper places and shall not be removed therefrom without an order of court or a vote of the city council first had and obtained. All books and accounts of any official of the city and all records of the city council and any committee thereof shall at all times in business hours be open to the inspection of any citizen of the city. Books of account and record.

City clerk.

SECT. 33. The city clerk shall give his entire time to the duties of the office and shall be subject to the authority of the city council. He may be removed from office on vote of the city council at its pleasure. He shall have charge of all books, records and accounts of the city. It shall be a part of his duty to serve as clerk of the board of assessors without extra compensation therefor.

Duties of commission chairmen.

SECT. 34. It shall be the duty of each chairman of a commission or board to attend the meetings of the council when specifically requested by the council or the mayor, and to answer such questions relative to the affairs of the city under his management as may be put to him by any member of the council.

Existing ordinances continued.

SECT. 35. All ordinances and by-laws of said city or its city councils shall continue in force until altered or repealed, except where a contrary intent herein appears.

First election; act takes effect when.

SECT. 36. The first election under this amended charter shall be held on the second Tuesday of December, 1905. For other purposes this charter shall take effect on the first week day of January, 1906. The officers elected on said second Tuesday of December, 1905, shall take office on the said first week day of January, 1906.

Check-list for city election.

SECT. 37. The board of registrars of voters shall make up and post for said election, and for every subsequent municipal election in December, a list of the legal voters of said city in the same manner in which they are now required by law to do.

[Approved March 9, 1905.]

CHAPTER 213.

AN ACT AUTHORIZING THE DOVER GAS LIGHT COMPANY TO PURCHASE AND OPERATE THE PROPERTY AND FRANCHISES OF THE UNITED GAS AND ELECTRIC COMPANY.

SECTION		SECTION	
1.	Authority granted.	4.	Issue of bonds.
2.	Prior limitation removed.	5.	Repealing clause; act takes effect on passage.
3.	Increase of capital stock.		

Be it enacted by the Senate and House of Representatives in General Court convened:

Authority granted.

SECTION 1. The Dover Gas Light Company, a corporation existing under the laws of New Hampshire, is hereby authorized to acquire, by purchase or otherwise, the franchises and property of the United Gas and Electric Company and, upon the acquisition of the same is invested with, and empowered to

exercise and enjoy, all the powers, privileges and franchises of said United Gas and Electric Company in the county of Strafford, said state, and in the towns of Lebanon, Berwick, North Berwick, South Berwick, Wells and Eliot, in the county of York, State of Maine, subject, however, to all its duties and liabilities, including liability upon any judgment which may be entered in accordance with the order already made by the supreme court in suit Maurice J. Stevens against said United Gas and Electric Company, or which may be recovered in said suit which is now pending in the superior court for Strafford county.

Prior limitation removed.

SECT. 2. Section 1, chapter 287 of the session Laws of 1887, entitled "An act to amend an act entitled 'An act to incorporate the Dover Gas Light Company,' approved June 28, 1850" is hereby amended by striking out in the fourteenth and fifteenth lines of said section the words, "not exceeding one hundred thousand dollars in value."

Increase of capital stock.

SECT. 3. For the purpose of acquiring said property and said franchises of said United Gas and Electric Company, the capital stock of said Dover Gas Light Company is hereby increased from one hundred thousand dollars to two hundred fifty thousand dollars, said increase to be divided into such number of shares as the stockholders may determine, *provided* the par value thereof is not less than twenty-five dollars. Said corporation is further authorized from time to time, as its needs may require, to increase said capital stock to an amount not exceeding five hundred thousand dollars by complying with the provisions of the statutes in reference to the increase of stock by voluntary corporations.

Issue of bonds.

SECT. 4. Said Dover Gas Light Company, in order to procure funds for the purchase of said property and franchises, and for other corporate purposes, is hereby authorized to issue its bonds in an amount not exceeding five hundred thousand dollars and to secure the same by mortgage upon its property and franchises now owned or hereafter acquired by it.

Repealing clause; act takes effect on passage.

SECT. 5. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed and this act shall take effect on its passage.

[Approved March 9, 1905.]

CHAPTER 214.

AN ACT TO CONTINUE, CONFIRM AND AMEND THE ORGANIZATION AND CHARTER OF THE EASTERN FIRE INSURANCE COMPANY OF NEW HAMPSHIRE.

SECTION
1. Charter and organization confirmed.
2. First meeting.
3. Principal office; resident directors.
4. May begin business, when.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter and organization confirmed.

SECTION 1. The charter of the Eastern Fire Insurance Company of New Hampshire granted at January session, 1893, of the New Hampshire legislature, and the organization under said charter, is hereby confirmed.

First meeting.

SECT. 2. The records of the organization of said corporation having been lost, the first meeting of said corporation may be held in accordance with said chapter within one year from the date hereof with the same force and validity as if held within three years after the granting of said charter.

Principal office; resident directors.

SECT. 3. The principal office of said corporation shall be located in the city of Concord, and at least a majority of the board of directors of the corporation shall be legal residents of the State of New Hampshire.

May begin business, when.

SECT. 4. Should said corporation elect to do a business of reinsurance only it may commence business as soon as its capital stock to the amount of ten thousand dollars shall be paid in, but nothing in this section shall be construed to allow said corporation to do a direct business of fire insurance until its capital stock fully subscribed and paid in is fifty thousand dollars.

Takes effect on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 215.

AN ACT TO INCORPORATE THE UPPER COÖS AND ESSEX WATER COMPANY.

SECTION
1. Corporation constituted; purposes.
2. Capital stock.
3. Right of eminent domain.
4. Assessment of damages.
5. Contracts authorized.
6. How far act applicable to Canaan, Vt.
7. Annual meeting.
8. Injury to property, etc., how punished.
9. First meeting.
10. Subject to repeal; takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That Thomas H. VanDyke, Samuel E. Watts, Carlos H. Green, George VanDyke, Irving W. Drew, Warren E. Drew, Walter Drew and Merrill Shurtleff, their associates and successors, are hereby made a corporation by the name of the Upper Coös and Essex Water Company, for the purpose of furnishing to the people of Stewartstown, New Hampshire, and Canaan, Vermont, a supply of pure water for domestic, mechanical and manufacturing purposes, and to said towns of Stewartstown and Canaan for the extinguishment of fires and other public uses, with all the rights, privileges, immunities, duties and obligations incident to similar corporations. Corporation constituted; purposes.

SECT. 2. The capital stock of said corporation shall not exceed fifty thousand dollars, divided into shares of one hundred dollars each. It may acquire and hold real and personal estate necessary and convenient for the purposes aforesaid, and it may issue bonds and other obligations, secured by mortgage of its real and other property, to carry out the purposes for which it is created. Capital stock.

SECT. 3. Said corporation may take and hold by purchase, or may take as for public uses, any real estate or easement therein, including the water of any ponds, streams, springs or artesian wells, necessary for obtaining a sufficient supply of water and for the construction of reservoirs and laying of pipes, and may construct, erect and maintain all necessary dams, reservoirs, standpipes and hydrants; it may lay its pipes through the land of persons and corporations, having first obtained the permission of the municipal officers of said towns, and, under such regulations and restrictions as they may prescribe, along the streets and ways of said towns; and may lay its pipes under any railroad, water-course, or private way, and cross any drain or sewer or pipe, *provided*, that in the matter of crossing pipes, it shall, at its own expense, and within a reasonable time, replace, repair, and cover all such pipes and mains as may be displaced, injured or disturbed during the construction, extension or repair of its water-works; and it may enter upon and dig up any such real estate, railroad, street, or Right of eminent domain.

way, for the purpose of laying pipes or erecting hydrants or other fixtures, and maintaining and repairing the same; it may lay a pipe or pipes across the Connecticut river, *provided*, that it shall not by its structures infringe the public right of the highway for the floating of logs down said river in as free and convenient a manner as is afforded by the river in its natural condition; and it may do any other act or thing necessary, convenient, and proper to carry out the purposes of this act.

Assessment of damages.

SECT. 4. Said corporation shall pay all damages sustained by any person or corporation, in property, by the taking of any land, right of way, water, water course, water right or easement, or by the erection of any dam, or by any other thing done by said corporation under the authority of this act. In case, however, said company shall not be able to agree with the owners thereof for the damages that may be done by said company, or the owners shall be unknown, either party may apply to the superior court at a trial term, in the county of Coös, to have the same laid out and the damages determined; and said court shall refer the same to the county commissioners of said county, who shall appoint a time and place of hearing, and give notice thereof in the same manner as now provided by law for the laying out of highways. Said commissioners shall make report to said court, and said court may issue execution thereon accordingly; but if either party shall desire it, upon application to said court before reference to said commissioners, they shall be entitled to a trial by jury, in such manner and under such regulations as said court may prescribe.

Contracts authorized.

SECT. 5. Said corporation may make any contract or contracts with said towns of Stewartstown and Canaan, or with any fire precinct, district or other corporate organization in said towns, or with any persons or corporations, to furnish water, hydrants, and other means and apparatus for extinguishing fires, and for such other purposes as may be deemed necessary, and said town of Stewartstown, or any fire precinct therein now existing or hereafter organized, is hereby authorized to contract with said corporation for the use of said water, hydrants, and other apparatus for said purpose, and it may raise and appropriate money therefor. And said corporation is hereby authorized and empowered to sell or lease for a term of years, to said towns or to either of them, or to any fire precinct, district or other corporate organization now existing or hereafter organized therein, all of its works, structures, and estate, of whatever kind or nature; and said town of Stewartstown or fire precinct is hereby authorized to purchase or lease the same.

How far applicable to Canaan, Vt.

SECT. 6. This act shall apply to the town of Canaan only so far and to such extent as this legislature has the right to permit this company to contract with said town, with any fire precinct or other corporate organization or with any person in

said town, or to permit this company to do any other act or thing necessary, convenient and proper to carry out the purposes of this act.

Annual meeting.

SECT. 7. The annual meeting of said corporation shall be holden at such time and place as may be prescribed by the by-laws or appointed by the directors, at which meeting not less than three nor more than seven directors shall be chosen by ballot. The directors may call special meetings whenever they may deem it necessary, giving such notice as the by-laws may prescribe.

Injury to property, etc., how punished.

SECT. 8. Any person who shall wilfully and maliciously corrupt the waters of any of the sources of supply or reservoirs of said company within this state, or shall wilfully injure any dam, reservoir, conduit, pipe, hydrant, or other property held, owned, or used by said company within this state, for the purposes of this act, shall, on conviction of either of said acts, be punished by a fine not exceeding five hundred dollars, or be imprisoned not exceeding one year, or both such fine and imprisonment.

First meeting.

SECT. 9. Any three of the corporators named in this act may call the first meeting of the company by giving a notice in writing to each of the corporators at least seven days before the meeting, or by notice printed in some newspaper published in the county of Coös, at least fourteen days before said day of meeting; and at said meeting, or at any subsequent meeting duly called, associates may be admitted, and all proper officers chosen, the number of shares fixed, and such by-laws and regulations be adopted as may be deemed necessary to carry into effect the business of the company.

Subject to repeal; takes effect on passage.

SECT. 10. This act may be altered, amended, or repealed whenever the public good requires, and it shall take effect upon its passage.

[Approved March 9, 1905.]

CHAPTER 216.

AN ACT IN AMENDMENT OF "AN ACT CREATING A BOARD OF TRUSTEES FOR A PUBLIC CEMETERY IN NASHUA," APPROVED MARCH 24, 1893.

SECTION
1. Perpetual care fund authorized.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Perpetual care fund authorized.

SECTION 1. The board of trustees, as constituted under said act, are hereby authorized and empowered to establish and create a perpetual care fund additional to that authorized by the original act, by setting aside such sum or sums as said board may deem best and to take, receive and place therein any donation, legacy or bequest specifically made therefor and which shall be known as the fund for the perpetual care of the paths, walks, drives and avenues of said cemetery, as well as for the fences enclosing the grounds thereof; that such fund, created as aforesaid, shall be invested, treated, considered and held and the liability of the city of Nashua shall be the same as other perpetual care funds, as set forth in the original act; that the interest or income only of such fund shall be used and applied by said board of trustees for the construction, care and maintenance of such paths, walks, drives, avenues and fences of such cemetery.

Takes effect on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 9, 1905.]

CHAPTER 217.

AN ACT TO REVIVE, AMEND AND EXTEND THE CHARTER OF THE KEENE ELECTRIC RAILWAY COMPANY.

SECTION
1. Charter revived and time for building extended.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Charter revived and extended.

SECTION 1. The charter of the Keene Electric Railway Company approved March 31, 1893, extended to March 31, 1902 by amendment approved March 7, 1899, and by amendment approved March 20, 1901, extended to March 31, 1904, is hereby revived and the time fixed in said charter and amend-

ments is hereby extended to March 31, 1907 and said corporation shall have such additional time in which to build its road.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 9, 1905.]

CHAPTER 218.

AN ACT TO INCORPORATE THE LACONIA POWER COMPANY.

SECTION
1. Corporation constituted.
2. May acquire street railway property.
3. May acquire property of electric companies.
4. May acquire property of lighting company.
5. Transfer by other corporations authorized.
6. Additional powers of corporation.
7. Maintenance of poles and wires in highways.
8. Capital stock; issue of bonds.
9 Subject to general law.
10. First meeting.
11. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That, Albert G. Folsom, Charles F. Stone, Samuel B. Smith, and Edmund Little, all of Laconia, in the county of Belknap and State of New Hampshire, and Harry L. Pierce of Leominster in the county of Worcester, in the Commonwealth of Massachusetts, their associates, successors and assigns are hereby made a corporation by the name of the Laconia Power Company and by that name may sue and be sued, prosecute and defend to final judgment and execution, and shall be and hereby are invested with all the powers and privileges, and made subject to all the liabilities under the laws of this state which are applicable to said corporation. Corporation constituted.

SECT. 2. The corporation is hereby authorized and empowered to purchase or lease the property, rights and franchise of or to consolidate with the Laconia Street Railway, a corporation duly established at said Laconia, and if such purchase, lease or consolidation shall at any time be made, all the property, rights, powers, privileges and franchises of said Laconia Street Railway shall pass to the control of said Laconia Power Company as fully and completely as the same are now held and enjoyed by said Laconia Street Railway. May acquire street railway property.

SECT. 3. The corporation is hereby authorized and empowered to purchase or lease the property, rights and franchise of or to consolidate with the Franklin Light & Power Company of the city of Franklin, the Tilton Electric Company of Tilton, or the Laconia Electric Lighting Company, a corporation duly May acquire property of electric companies.

established at Laconia, and if such purchase, lease or consolidation shall at any time be made, all the property, rights, powers, privileges and franchises of said Franklin Light & Power Company, Tilton Electric Company or said Laconia Electric Lighting Company shall pass to the control of said Laconia Power Company as fully and completely as the same are now held and enjoyed by said Franklin Light & Power Company, Tilton Electric Company or Laconia Electric Lighting Company.

May acquire property of lighting company.

SECT. 4. The corporation is hereby authorized and empowered to purchase or lease the property, rights and franchise of or to consolidate with the Winnipesaukee Gas & Electric Company, a corporation duly established at said Laconia, and if such purchase, lease or consolidation shall at any time be made, all the property, rights, powers, privileges and franchises of said Winnipesaukee Gas & Electric Company shall pass to the control of said Laconia Power Company as fully and completely as the same are now held and enjoyed by said Winnipesaukee Gas & Electric Company.

Transfer by other corporations authorized.

SECT. 5. The Laconia Street Railway, the Laconia Electric Lighting Company the Winnipesaukee Gas & Electric Company the Franklin Electric Light & Power Company and the Tilton Electric Company are hereby authorized and empowered to sell or lease, all assets, rights and franchises of said corporations to the Laconia Power Company upon such terms as may be agreed upon by said corporations.

Additional powers.

SECT. 6. The said Laconia Power Company is hereby authorized and empowered to construct, maintain and operate suitable dams, buildings, water and other motors, engines, electric and other machinery for the generation of electricity, to lease water power for such purpose and to purchase or lease real estate, rights in real estate and water rights and the rights of flowage and the right to erect and maintain such necessary dams and reservoirs for the purpose of utilizing water power upon such rivers, streams, lakes and ponds in said county of Belknap and in the town of Hill, in the county of Merrimack, and the town of Bristol in the county of Grafton, as the said corporation may purchase, for the purpose of generating electrical energy for uses named in the charters of the several corporations named in this act, but said corporation its successors or assigns shall not have the right to use any of its power for the operation of street railways outside the city of Laconia and the town of Gilford in the county of Belknap, or for the operation of any electric railway between the city of Laconia and village of Tilton and the village of Tilton and city of Franklin. Said power company is hereby authorized and empowered to lease or sell power for manufacturing purposes upon and along any lines that may be constructed under authority of this act, except said power company shall not

lease or sell power in the city of Franklin or town of Tilton unless under a contract with the Franklin Light & Power Company, in said city of Franklin, or the Tilton Electric Company, in the town of Tilton. Nothing, however, in this act shall be construed as giving the said Laconia Power Company the right to engage in the business of electric lighting in the city of Laconia, the city of Franklin or town of Tilton unless it shall do so under the charter or charters of the Franklin Light & Power Company or the Tilton Electric Company or the Laconia Electric Lighting Company in accordance with section 3 of this act.

Poles and wires in highways.

SECT. 7. Said power company shall have the right to erect and maintain its poles and string its wires thereon through any street, place, highway or passway in any of the cities or towns in said county of Belknap or the town of Bristol in the county of Grafton, the town of Hill or the city of Franklin in the county of Merrimack. The permission of the selectmen or board of mayor and councilmen of the towns and cities being first obtained for said purposes.

Capital stock; issue of bonds.

SECT. 8. The capital stock of said power company shall not exceed two hundred and fifty thousand dollars, to be divided into shares of a par value of one hundred dollars each, but such company may issue capital stock and bonds to such an amount only as may be necessary for the purposes authorized in this charter and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. Said power company may from time to time issue bonds to provide means for carrying out the provisions of this act or for funding its debt or that of any of the companies authorized to be united under this act or renewing or retiring the funded debt of any of said companies to such an amount as may be necessary. To secure the payments of such bonds with interest thereon, said corporation may make a mortgage of its property and franchises and may include in any such mortgage property thereafter to be acquired.

Subject to general law.

SECT. 9. Said power company shall be subject to all the provisions of the general laws, except as modified by the provisions herein.

First meeting.

SECT. 10. Any three of the grantees may call the first meeting by publication or by giving personal notice to the other grantees at least ten days prior to the time of meeting. At said first meeting or any subsequent one, associates may be elected, by-laws and regulations adopted, a board of directors and other officers elected to serve until the first annual meeting and until their successors are duly qualified.

Takes effect on passage.

SECT. 11. This act shall take effect on its passage.

[Approved March 9, 1905.]

CHAPTER 219.

AN ACT TO AMEND SECTION 4, CHAPTER 213 OF THE LAWS PASSED AT THE JANUARY SESSION OF 1901, ENTITLED "AN ACT TO INCORPORATE THE PITTSFIELD LOAN AND TRUST COMPANY."

SECTION
1. First meeting, how called.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

First meeting, how called.

SECTION 1. That section 4 of said act be amended as follows: strike out the words "the first four persons" before the word "named," and in the place thereof, insert the words any three persons, and also strike out the words "or any three of them" in the second line of said section between the words "act" and "shall," so that section 4 as amended shall read: [SECT. 4.] Any three persons named in the first section of this act, shall call the first meeting of the corporation by notice in writing to each grantee or by publishing in some newspaper printed in Pittsfield, at least ten days before the day of the meeting.

Takes effect on passage.

SECT. 2. This act shall take effect on its passage.

[Approved March 9, 1905.]

CHAPTER 220.

AN ACT IN AMENDMENT OF CHAPTER 208 OF THE SESSION LAWS OF 1899 AS AMENDED BY CHAPTERS 204 AND 318 OF THE SESSION LAWS OF 1903, RELATING TO THE WALPOLE ELECTRIC LIGHT & POWER COMPANY.

SECTION
1. Powers enlarged.
SECTION
2. Takes effect on passage; repealing clause.

Be it enacted by the Senate and House of Representatives in General Court convened:

Powers enlarged.

SECTION 1. That section 3 of chapter 208 of the session Laws of 1899, as amended by chapter 318 of the Laws of 1903, be amended by inserting after the word "Unity" in said section the words on Cold stream and its tributaries; so that said section shall read as follows: SECT. 3. Said corporation is hereby authorized and empowered to establish and carry on in the said towns of Walpole and Alstead and Langdon, the busi-

ness of generating, manufacturing, producing, and supplying electricity for the purposes of light, heat, and mechanical power, and may also furnish and supply to those requiring it any surplus water power it may have, and to these ends may purchase, build, erect, and maintain in said Walpole and Alstead and Langdon and Acworth and Lempster and Unity, on Cold stream and its tributaries, such suitable dams, canals, reservoirs, and water powers as may be necessary, and may distribute and supply electricity by metallic wires or by any other suitable means of transmitting the same upon poles erected, or in subterranean tubes or boxes placed in the public streets and highways in said towns, the consent of the selectmen of said towns being first obtained for that purpose, and then such location to be under the direction of said selectmen; and may construct and maintain such suitable dams, canals, reservoirs, structures, or buildings, hold, purchase, lease, and acquire, or take by eminent domain such real and personal property, rights and easements as may be necessary for any purposes of the said corporation as authorized by this act, and may sell, convey, and dispose of the same at pleasure.

Takes effect on passage; repealing clause.

SECT. 2. This act shall take effect on its passage and all acts and parts of acts inconsistent with this act are hereby repealed.

[Approved March 9, 1905.]

CHAPTER 221.

AN ACT TO INCORPORATE THE COÖS AND ESSEX AGRICULTURAL SOCIETY.

SECTION
1. Corporation constituted.
2. Capital stock.
3. Powers.
4. Officers and by-laws.
5. First meeting.
6. No charter fee required.
7. Takes effect on passage; subject to repeal.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted.

SECTION 1. That F. S. Linscott, Elwin Damon, P. J. Noyes, E. M. Monahan, S. C. Howe, G. G. McGregor, B. B. Blakeslee, W. R. Bell, Charles Fitch, F. H. Piper, Gilbert Beattie, D. O. Rowell, W. T. Pike, Fred Bell, Charles Chandler and Frank Rosebrook, and their associates and successors, forever be and hereby are made a body politic and corporate by the name and style of the Coös and Essex Agricultural Society.

Capital stock.

SECT. 2. The capital stock of said corporation shall not exceed one thousand dollars, and shall be divided into shares of a par value of two dollars each, and its bonded and other indebtedness shall at no time exceed the amount of its capital stock actually paid in. The amount of capital stock and bonds to be so issued from time to time shall be determined and issued in accordance with the provisions of the general laws.

Powers.

SECT. 3. The object of the society being to improve the condition of agriculture, horticulture, manufactures, the domestic and mechanic arts, they shall be and hereby are for this purpose only allowed to have, hold, purchase, lease, receive and enjoy real and personal estate, and to sell, grant, convey and dispose of the same; may have and use a common seal, and may sue and be sued, appear, prosecute and defend to final judgment and execution.

Officers and by-laws.

SECT. 4. The society shall have power to appoint such officers as they may deem expedient, and to make ordain and establish and put into execution such by-laws and regulations as shall be necessary and convenient for the government and management of the society, and shall possess the power and be subject to the liabilities and provisions common to other similar corporations by the existing laws of the state.

First meeting.

SECT. 5. F. S. Linscott, Elwin Damon, P. J. Noyes, E. M. Monahan and S. C. Howe, or any three of them, may call the first meeting of said society at such time and place and in such manner as they may deem expedient, giving at least two weeks' notice for the purpose of organizing, and choosing the first board of officers, making and establishing by-laws and transacting any business necessary and proper to carry into effect the provisions and intentions of this act.

No charter fee.

SECT. 6. The object of the society being to improve the condition of agriculture, horticulture, manufactures, the domestic and mechanic arts, the persons procuring the passage of this act shall not be required to pay any charter fee as set forth and provided in the Public Statutes or any amendment thereto.

Takes effect on passage; subject to repeal.

SECT. 7. This act shall take effect upon its passage; and the legislature may alter, amend, or repeal this act whenever the public good may require.

[Approved March 10, 1905.]

CHAPTER 222.

AN ACT TO AUTHORIZE THE TOWN OF WOODSTOCK TO CONSTRUCT AND MAINTAIN AN ELECTRIC LIGHT AND POWER PLANT.

SECTION
1. Authority granted.
2. Control and management.
3. Appropriations authorized.
4. Repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The town of Woodstock is hereby authorized to construct and maintain an electric light plant, for the purpose of generating and supplying electricity to light the streets and buildings in said town, and may distribute, convey, and supply the same by metallic wires, or by any other suitable means, upon poles erected for that purpose, or in other convenient ways, in any public street or highway in said town, and may relay and repair the same, having proper regards for the rights of the public. Authority granted.

SECT. 2. The said town shall have the power and authority to make regulations for the use of said electricity; and the control and management of said plant may be placed in the hands of the firewards of said town, who shall appoint all necessary officers. Control of plant.

SECT. 3. The said town is also authorized at any annual or special meeting to raise and appropriate and to borrow and hire such sums of money not exceeding in the aggregate twenty thousand (20,000) dollars on the credit of the town as may from time to time be deemed advisable for the purposes of defraying the expenses of purchasing real estate, and for constructing, maintaining, and operating said electric light plant and to issue notes or bonds of the town therefor, payable at such times and at such rates of interest as may be thought proper. The proceedings of the town with reference to the business specified in this section shall be in accordance with the act approved March 19, 1895, and known as the "Municipal Bonds Act, 1895." Appropriations authorized.

SECT. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon its passage. Repealing clause; act takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 223.

AN ACT TO INCORPORATE MANCHESTER LODGE NO. 146 OF THE BENEVOLENT AND PROTECTIVE ORDER OF ELKS.

SECTION
1. Corporation constituted.
2. Powers.
3. First meeting.
4. Subject to repeal.
5. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted.

SECTION 1. That John H. Hayes, Charles F. Glidden, William A. Doherty, Theodore M. Hyde, Thomas W. Lane James H. Reynolds, John G. Hutchinson, Maurice A. Connor, John P. Bartlett, Chauncey W. Clement Daniel F. Healy Charles H. Bodwell, Fred A. Montgomery Harry W. Harvey, John K. Wilson Charles M. Floyd Harrie M. Young Eugene G. Libby and Arthur E. Clarke and their associate members of said lodge, and their successors, be and they are hereby made a body politic and corporate by the name of the Benevolent and Protective Order of Elks of Manchester N. H.

Powers.

SECT. 2. Said corporation, may purchase take and hold by deed, gift, devise, bequest or otherwise real and personal estate, necessary for the purpose of the corporation to an amount not exceeding ten thousand dollars and may improve sell and convey or otherwise dispose of the same at pleasure. They shall have all the powers rights and duties, of similar corporations and may make such by-laws and regulations as they are authorized to make, by the grand lodge of the order not inconsistent with the laws of this state.

First meeting.

SECT. 3. The exalted ruler of the lodge may call the first meeting of this corporation, at such time and place and in such manner as he may think proper, at which meeting the necessary and usual officers may be chosen.

Subject to repeal.

SECT. 4. The legislature may alter, amend or repeal this act whenever the public good may require.

Takes effect on passage.

SECT. 5. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 224.

AN ACT TO AUTHORIZE AND EMPOWER THE PENACOOK AND BOSCAWEN WATER PRECINCT TO REFUND ITS BONDED INDEBTEDNESS.

SECTION
1. Authority granted.
2. Appropriation authorized.
SECTION
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. That the Penacook and Boscawen Water Precinct is hereby authorized and empowered to refund its present bonded indebtedness, by calling in and paying all the outstanding bonds as the same may become due, at the election of said precinct, on November 1, 1907, and at any annual meeting of said precinct may so vote to do, and notice of such vote to be filed at the banking house of E. H. Rollins & Sons, Boston, Massachusetts, and published for four consecutive weeks, at least once a week in one or more newspapers printed and published in said Boston and in Concord, New Hampshire, the last publication to be at least two months before said November 1, 1907. Authority granted.

SECT. 2. Said precinct at any annual meeting by a two-thirds vote of those present and voting may raise and appropriate a sum sufficient to pay said bonds as provided in section 1 of this act and to issue bonds with coupons annexed for the annual or semi-annual interest, for a sum not exceeding sixty-five thousand dollars, bearing interest not exceeding four per cent. per annum, and payable at such time within twenty-five years and in such amount as may be determined by said precinct. Said bonds may be in the form so far as applicable, prescribed by chapter 43 of the Laws of 1895, called the Municipal Bonds Act of 1895 except that the provisions of section 8 of said chapter and the time of payment as prescribed in said act shall not be applicable to said bonds. *Provided* that there shall be printed in large type across the top of each of said bonds This bond is not issued under or by authority of the Municipal Bonds Act 1895 of the State of New Hampshire. Appropriation authorized.

SECT. 3. This act shall take effect upon its passage. Takes effect on passage.

[Apppoved March 10, 1905.]

CHAPTER 225.

AN ACT IN AMENDMENT OF CHAPTER 251 OF THE LAWS OF 1887, ENTITLED "AN ACT TO INCORPORATE L'UNION ST. JEAN BAPTISTE SOCIETY IN NASHUA."

SECTION
1. Issue of capital stock authorized.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Issue of capital stock authorized.

SECTION 1. Amend said charter by adding to section 2 the following: The said corporation is hereby authorized and empowered to issue capital stock not to exceed twenty-five thousand dollars, divided into one thousand shares of the par value of twenty-five dollars each, and no person shall own or hold any of the said capital stock unless such owner or holder is a member of the said society, *provided*, the said limitation as to ownership shall be plainly expressed on each of the stock certificates issued under this act.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 10, 1905.]

CHAPTER 226.

AN ACT TO REVISE AND AMEND THE CITY CHARTER OF THE CITY OF DOVER.

SECTION 1. Duties of street and park commissioners.

Be it enacted by the Senate and House of Representatives in General Court convened:

Duties of street and park commissioners.

SECTION 1. Amend section 2, chapter 223 of the session Laws of 1903, entitled "An act in amendment of the charter of the city of Dover, creating a board of street and park commissioners for said city" by inserting the word bridges after the word "streets" in the sixth line of said section so that said section as amended shall read: SECT. 2. In the month of March, annually, said board shall organize by the choice of one of its members as chairman, and shall also choose a clerk, who may be one of said commissioners. Said board of street and park commissioners shall have full charge, management, and control of the building, constructing, repairing, and maintaining of all the streets, bridges, highways, lanes, alleys, sidewalks, and public sewers and drains, and of the public parks

and commons, in said city of Dover, and shall have the expenditure of all appropriations which the city councils of said city shall from year to year vote for such purposes; and all bills for expenditures from the appropriations voted from year to year by the city councils for such purposes, shall be approved by said board before the same are paid by the city treasurer.

[Approved March 10, 1905.]

CHAPTER 227.

AN ACT RATIFYING THE VOTE OF THE CITY COUNCILS OF THE CITY OF DOVER PASSED AT A MEETING HELD ON THE THIRD DAY OF MARCH, 1898.

SECTION
1. Vote ratified and confirmed.
2. Taxes paid not recoverable.
3. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The vote of the city councils of the city of Dover passed on the third day of March, 1898 exempting certain property of the United Gas and Electric Company from taxation for the period of ten years from that date is hereby authorized, ratified and confirmed. Vote ratified and confirmed.

SECT. 2. The United Gas and Electric Company shall not be entitled to recover of the city of Dover any moneys paid into said city as taxes on the herein described property. Taxes paid not recoverable.

SECT. 3. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 228.

AN ACT CONFIRMING THE INCORPORATION OF THE TROY AND FITZWILLIAM LIGHT & POWER COMPANY, AND EXTENDING ITS POWERS.

SECTION
1. Incorporation confirmed; capital stock increased.
2. Issue of bonds.
3. Maintenance of poles and wires.
4. Right of eminent domain; assessment of damages.
5. Subject to repeal; repealing clause; act takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The incorporation of the Troy and Fitzwilliam Light and Power Company under the provisions of chapter 147 of the Public Statutes is hereby confirmed, and the capital Incorporation confirmed; capital stock increased.

stock fixed and limited in its articles of incorporation, to wit: fifteen thousand dollars is hereby increased to twenty-five thousand dollars.

Issue of bonds.

SECT. 2. Said corporation is hereby authorized and empowered to issue bonds and other obligations secured by a mortgage of its franchises and other property to carry out the purposes for which it is incorporated.

Maintenance of poles and wires.

SECT. 3. Said corporation may erect poles and place wires for the transmission of electricity, or may lay the same in subterranean pipes, through or over the land of any persons or corporations, and under or over any railroad or private way, and, if first obtained the permission of the municipal officers of any of the towns in which it is authorized to do business, and under such restrictions and regulations as they may prescribe, along the streets and ways of said towns; and it may enter upon and dig up any such real estate, street, or way for the purposes aforesaid; and it may do any other act or thing necessary, or convenient, or proper to carry out the purposes for which this corporation is created.

Right of eminent domain; assessment of damages.

SECT. 4. Said corporation may take and hold by purchase, or may take as for public uses, any real estate or easement therein, including water of any ponds or streams which may be necessary for carrying out the purposes for which it is incorporated. If it shall be necessary to enter upon and appropriate any land, pond, or stream, or easement therein, for the purpose aforesaid, and said corporation shall not agree with the owners thereof for the damages that may be done by said corporation, or said owners shall be unknown, either party may apply to the superior court, at a trial term in the county of Cheshire to have the same laid out, and damages determined; and the said court shall refer the same to the county commissioners, who shall appoint a time and place of hearing and give notice thereof in the same manner as is now provided by law for laying out highways; and said commissioners shall make a report to said court, and they may issue execution accordingly. If either party shall desire, upon application to said court before such reference, they shall be entitled to a trial by jury in such manner and under such regulations as said court may prescribe.

Subject to repeal; repealing clause; act takes effect on passage.

SECT. 5. The legislature may alter, amend, or repeal this act whenever the public good may require the same; and all acts inconsistent with this act are hereby repealed, and this act shall take effect on its passage.

[Approved March 10, 1905.]

CHAPTER 229.

AN ACT IN AMENDMENT OF CHAPTER 236 OF THE LAWS OF 1901 ENTITLED "AN ACT TO INCORPORATE THE PEERLESS CASUALTY COMPANY."

SECTION
1. Increase of capital stock.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. Chapter 236 of the Laws of 1901 is hereby amended by adding thereto the following section: SECT. 4. Said corporation shall have the right to increase its capital stock by the sum of ninety thousand ($90,000) dollars so that its said stock shall be one hundred thousand ($100,000) dollars in the aggregate, and such increase of ninety thousand ($90,000) dollars may be made by said corporation in such sums from time to time as said corporation may vote; and such increase shall be subject to the provisions of section 3 of chapter 236 of the Laws of 1901 relating to the stock thereby authorized to be issued. Increase of capital stock.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 10, 1905.]

CHAPTER 230.

AN ACT AUTHORIZING THE UNITED GAS AND ELECTRIC COMPANY TO SELL AND CONVEY ITS PROPERTY AND FRANCHISES TO THE DOVER GAS LIGHT COMPANY.

SECTION
1. Authority granted.
SECTION
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

SECTION 1. The United Gas and Electric Company is hereby authorized to sell and convey its franchises and property to the Dover Gas Light Company, a corporation organized under the laws of the State of New Hampshire, subject, however, to all its duties and liabilities, including liability upon any judgment which may be entered in accordance with the order already made by the supreme court in suit Maurice J. Stevens against said United Gas and Electric Company, or which may be recovered in said suit which is now pending in the superior court for Strafford county. Authority granted.

SECT. 2. This act shall take effect upon its passage. Takes effect on passage.

[Approved March 10, 1905, 11:30 a. m.]

CHAPTER 231.

AN ACT IN AMENDMENT OF THE CHARTER OF THE DOVER GAS LIGHT COMPANY.

SECTION
1. Name changed.
2. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Name changed.

SECTION 1. That the Dover Gas Light Company, a corporation established by an act of the legislature at the June session, 1850, be and hereby is authorized to change its name to Interstate Gas and Electric Company by a majority vote of its stockholders at a meeting duly called for that purpose, and by recording a certified copy of such vote in the office of the secretary of state and in the office of the clerk of the city which is the company's principal place of business.

Takes effect on passage.

SECT. 2. This act shall take effect upon its passage.

[Approved March 10, 1905, 11:40 a. m.]

CHAPTER 232.

AN ACT TO INCORPORATE THE NEW ENGLAND BREEDERS' CLUB.

SECTION
1. Corporation constituted; purposes.
2. Capital stock.
3. May hold fairs, etc.
4. To maintain police on grounds.
5. To prohibit betting on grounds.
6. Grounds to be placarded.
7. Penalty for making bet on grounds.
8. Penalty for making pools on grounds.
9. Rules for orderly conduct.
10. First meeting.
11. Takes effect on passage.

Be it enacted by the Senate and House of Representatives in General Court convened:

Corporation constituted; purposes.

SECTION 1. Thomas Nelson Hastings, Nathaniel Doane, Charles T. McNally, Frank A. Christie, and Frank H. Wingate, their associates and successors, are hereby made a body corporate by the name of the New England Breeders' Club, with all the powers and privileges incident to corporations of a similar nature, for the purpose of raising, importing, and improving the breed of, horses and other domestic animals in the State of New Hampshire.

Capital stock.

SECT. 2. Said corporation shall have a capital stock not to exceed five hundred thousand dollars ($500,000), divided into shares of the par value of one hundred dollars each, and may acquire and hold real estate for its own use not to exceed the

amount of its capital stock. The bonded or other indebtedness of said corporation shall at no time exceed one half of its capital stock. After the capital stock shall have been fully paid in in cash and a certificate of such payment, verified by the oath of a majority of the directors, shall have been filed in the office of the secretary of state, the private property of shareholders shall not be liable for the debts or obligations of the corporation.

May hold fairs, etc.

SECT. 3. Said corporation may hold fairs, races and contests of speed, skill and endurance, and offer purses, prizes, premiums, or sweepstakes, and charge and receive entrance fees therefor.

To maintain police on grounds.

SECT. 4. It shall be the duty of said corporation to police its grounds and maintain order therein at its own expense by special police officers, suitably uniformed, and appointed by the selectmen of any town, or the mayor and aldermen of any city, in which some portion of the property of said corporation may be situated. Said police officers, when appointed, shall be vested with the powers of police officers or constables of the town or city in which the property of said corporation is situated. It shall be the duty of said police officers, when appointed, to preserve order within and around the grounds of said corporation, to protect the property within said grounds, to eject or arrest all persons who shall be improperly within said grounds, or who shall be guilty of disorderly conduct, or who shall neglect or refuse to pay the fees or to observe the rules prescribed by said corporation; and it shall be the further duty of said police officers, when appointed, to prevent all violations of law with reference to pool-selling, book-making, and gambling, arrest any and all persons violating such provisions, and to convey such person or persons, so arrested, before a magistrate having jurisdiction of such offense to be dealt with according to law.

To prohibit betting on grounds.

SECT. 5. It shall be the duty of said corporation to prohibit the maintenance upon its grounds of any betting-ring, room, or enclosure for the placing of bets or wagers, for the selling of pools or making of books, or for any other device or system for placing bets, wagers or money upon the result of any trial or contest of speed or power of endurance taking place upon said grounds.

Grounds to be placarded.

SECT. 6. Said corporation shall cause to be properly posted in conspicuous position upon its grounds printed notices or placards in large and legible type, which notices or placards shall be to the effect that all disorderly conduct, pool-selling, book-making, or any form of gambling is prohibited; and such notices or placards shall contain a reference to the New Hampshire Public Statutes on the subject of gambling.

Penalty for making bet on grounds.

SECT. 7. Any person, who, upon the grounds of said corporation, shall make or record, directly or indirectly, any bet or wager on the result of any trial or contest of speed or power of endurance taking place upon said grounds, shall forfeit the value of any property or money so wagered, received or held by him, to be recovered in a civil action by the person or persons with whom such wager is made, or by whom such money or property is deposited. This penalty is exclusive of all other penalties prescribed by law for the acts specified in this section.

Penalty for making pools on grounds.

SECT. 8. Any person who, upon the grounds of said corporation, shall make or record, directly or indirectly, any sale or purchase of any pool, or interest therein, on the result of any trial or contest of speed or power of endurance taking place upon said grounds, shall forfeit the value of any pool or interest therein so wagered, received or held by him, to be recovered in a civil action by the person or persons with whom such sale or purchase of said pool or interest therein is made, or by whom any money for the sale or purchase of said pool, or any interest therein is deposited. This penalty is exclusive of all other penalties prescribed by law for the acts specified in this section.

Rules for orderly conduct.

SECT. 9. It shall be the duty of said corporation to make, prescribe and enforce rules and regulations for the orderly conduct of its business, and to prosecute all offenders against the laws of the state for acts committed upon its grounds.

First meeting.

SECT. 10. Any three of the grantees may call the first meeting of the corporation by notice in writing to each grantee, or by one publication in some newspaper printed in Concord, at least one week before the date of meeting.

Takes effect on passage.

SECT. 11. This act shall take effect upon its passage.

[Approved March 10, 1905.]

STATE OF NEW HAMPSHIRE.

OFFICE OF SECRETARY OF STATE,

CONCORD, June 1, 1905.

I hereby certify that the acts and resolves and changes of names contained in this pamphlet have been compared with the originals in this office, and found to be correctly printed.

EDWARD N. PEARSON,
Secretary of State.

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TO

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